

ALERT

FCC Clarifies IP Captioning Rules

June 17, 2013

On June 14, 2013, the Federal Communications Commission (FCC or Commission) released an Order on Reconsideration and Further Notice of Proposed Rulemaking (Order and FNPRM) which clarified several aspects of its 2012 *IP Captioning Report and Order*. Importantly, the FCC explained that the January 1, 2014 compliance date for covered apparatus applies to apparatus manufactured on or after January 1, 2014, regardless of when the apparatus is imported for use in the United States. The Commission also rejected a proposal to require manufacturers to label products to indicate whether the devices comply with the captioning requirements.

In addition, the Order found that DVD players which use their analog output to pass through closed captions to the television complied with the IP Captioning requirements. The Order also extended the January 1, 2014 compliance deadline for DVD and Blu-Ray players which do not either render or pass through closed captions, pending resolution of the issue as part of the FNPRM. In the FNPRM, the Commission seeks input on the costs and benefits of requiring DVD and Blu-Ray players to support closed captioning for removable media. The FNPRM also seeks comment on whether apparatus manufacturers should ensure synchronization of closed captions and their accompanying video. Comments are due 60 days after publication in the *Federal Register*, and reply comments are due 90 days after publication in the *Federal Register*.

The Order also:

- granted waivers to devices used to capture and display consumer-generated media, such as digital still cameras, digital video cameras, and baby monitors, and devices used to display still images with limited audiovisual capability, such as certain digital picture frames;

Authors

Henry Gola
Partner
202.719.7561
hgola@wiley.law

Practice Areas

Media
Telecom, Media & Technology

- affirmed that it will allow video programming providers or distributors the flexibility to select whether to render or pass through required closed captions; and
- directed the Media Bureau to issue a Public Notice by December 14, 2013 seeking information on industry progress on the voluntary captioning of IP-delivered video clips.