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## **MOBILE TELEVISION – “WORK IN PROGRESS”**

For Europe’s commercial television operators, Mobile TV is an interesting business opportunity. According to Ross Biggam, Director General of the Association of Commercial Television in Europe:

“All private sector operators are seeking to diversify beyond conventional television, and mobile distribution clearly interests our member companies – many of them are actively involved in trials and in the process of launching commercial services. The development of mobile TV is currently on its way in many European Member States”.

However, Europe’s commercial broadcasters, represented by the ACT, are concerned that the debate about mobile TV so far has focussed almost exclusively on technical standards, and that the Commission has underestimated certain legal and commercial issues linked to potential cross border mobile TV services in its newly adopted Communication on “*strengthening the Internal Market for mobile TV*”.

The Commission’s idea of an “*integrated policy for mobile TV*” and pan-European licensing, ignores the fact that EU copyright legislation and the entire content market is based on the territoriality of rights. Regulatory prescription of pan-European licensing could endanger existing business models that are built on territoriality.

The ACT questions in particular the need for an integrated policy: If consumers want to enjoy mobile TV anytime, anywhere and on any device, broadcasters will respond and acquire the required rights on a multi-territorial or pan-European basis, depending on their business model. The ACT is also concerned that linguistic diversity would make the costs of producing pan-European mobile TV content prohibitive.

Therefore, before taking any legislative action on mobile TV, the ACT considers that the EU should seriously investigate whether there is a mass market potential of pan-European mobile TV services – and roaming - at all, as trials and research on mobile TV to date do not produce evidence of the significant consumer interest in pan-European services which would be necessary to underpin a viable business case.

END

## **NOTES**

**ACT has member companies active in 34 European countries operating over 380 free-to-air and pay-tv channels and distributing 540 channels and 170 new services.**

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