

ALERT

Reminder: First IP Closed Captioning Deadline is September 30

August 24, 2012

A reminder that the first compliance deadline for the Federal Communications Commission's (FCC) new rules governing closed captioning of video programming delivered using Internet Protocol (IP) is **September 30, 2012**. As of that date, all Covered IP Video that is **prerecorded** and **unedited** for online distribution must appear with the same amount and quality of captioning when it is delivered online (including, for example, to PCs, tablets, smartphones and DVD players). Covered IP Video is any video shown on television with captions after April 30, 2012.

Note that in a recent waiver decision, the FCC afforded video programming distributors (VPDs) some additional flexibility with respect to implementing user controls in connection with IP closed captioning. While VPDs must be capable of providing basic closed captions for covered online programming as of September 30, 2012, VPDs that provide applications or plug-ins in order to deliver video programming will have until January 1, 2014 to implement more advanced user controls.

The next deadline will extend the rule beyond prerecorded programming to **live** or "**near-live**" Covered IP Video. As of March 30, 2013, that video must appear online with the same amount and quality of captioning as it contained on television. Beginning on September 30, 2013, compliance obligations will include captioning of prerecorded programming that is **edited** for online distribution. Beginning in 2014, video programming providers will face deadlines for IP captioning of programming that was contained in their online libraries prior to April 30, 2012 and is subsequently re-aired on television with captions.

Authors

Kathleen A. Kirby
Partner
202.719.3360
kkirby@wiley.law
Henry Gola
Partner
202.719.7561
hgola@wiley.law

Practice Areas

Media
Telecom, Media & Technology

The FCC's wide-ranging IP captioning rules fulfill the agency's obligations under the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) and cover virtually all video programming producers that make content available online—including television stations, broadcast and cable networks and cable systems.

Should you have questions concerning the rules, or if you would like a copy of our more detailed primer on the IP captioning rules, please contact the attorneys listed below or the Wiley Rein attorney who regularly handles your matters.