



**JULY
2012**

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NEWS

NETFLIX

Judge says captioning suit can proceed

Jun 27, 2012 2:35 PM

A Federal District judge in Massachusetts has tossed out a request by Netflix to dismiss a lawsuit brought by the National Association of the Deaf alleging the OTT entertainment provider discriminates against the deaf and hard of hearing by not including closed captions on streamed content.

U.S. District Court Judge Michael A. Ponsor denied the motion to dismiss June 19, finding that it was not rational to conclude, as Netflix argued, that the Americans with Disabilities Act (ADA) does not apply to Web-only businesses but rather only to physical structures.

The lawsuit filed last year alleges Netflix violates the ADA by not providing closed captioning on most programming streamed over the Internet as part of its "Watch Instantly" service, and thus denies equal access to the deaf and hard of hearing.

"In a society in which business is increasingly conducted online, excluding businesses that sell services through the Internet from the ADA would run afoul of the purposes of the ADA ..." the ruling said.

The judge also did not accept the Netflix argument that it doesn't own the copyrights to the programming it streams and thus can't be forced to provide closed captions, nor did he accept the argument that the 21st Century Communications and Video Accessibility Act "carves out" Internet-streamed video programming from the ADA.

"By recognizing that websites are covered by the ADA, the court has ensured that the ADA stays relevant as much of our society moves from Main Street to the Internet," said Arlene Mayerson, the Disability Rights Education and Defense Fund's directing attorney. "Netflix's argument that the neighborhood video store is covered by the ADA, but it, with its over 20 million subscribers, is not, was soundly rejected by the court."

Netflix is quoted in the Los Angeles Times as saying it has always been committed to providing content that is accessible to the deaf and hard of hearing and that more than 80 percent of the hours streamed are movies and TV shows with closed captions.

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Managing lip sync

May 11, 2012 1:06 PM, By Brad Dick

The early days of HD brought lots of complaints about lip sync errors. That's a condition where, typically, the audio appears ahead of the visual movement of the mouth. Most viewers won't detect lip sync errors until the offset is greater than about two or three frames. The threshold is affected by whether the audio is leading or lagging the video. One NTSC frame equals 33ms. Professionals may detect errors of one frame. However, once the viewer detects the error, she is much more sensitive to the annoyance, so we've got to fix it.

NOTE from the editor:

The complete solution from this article will be posted next month.

Keep an eye on the August Newsletter, it is very informative for those who are interested in this matter.




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EL PASO, TX CHAPTER 38 MEETING MINUTE
DATE **6/12/2012** LOCATION: **GRAND CHINA BUFT**

MEETING CALLED TO ORDER: 12:30 PM, BY ANTONIO CASTRO, THERE WERE 15 MEMBERS.

REPORT OF THE SECRETARY: MINUTES ACCEPTED BY ENRIQUE LOPEZ, 2nd BY NORBERT MILES

REPORT OF THE TREASURER: CURRENT BALANCE OF \$ 7437.93, ACCEPTED BY DON BOHRER, 2nd BY DAVID HARPERING.

REPORT OF THE CERTIFICATION COMMITTEE: TALKED ABOUT NEW KIND OF CERTIFICATIONS.

REPORT OF THE MEMBERSHIP COMMITTEE: NO REPORT

REPORT OF THE FREQUENCY COORDINATOR COMMITTEE: NO REPORT

REPORT OF THE SCHOLARSHIP COMMITTEE: NO REPORT

REPORT OF THE WEBSITE COMMITTEE 1140 HITS. (39 MORE FROM LAST MONTH)

REPORT OF THE EAS CHAIRMAN : NO REPORT

REPORT OF THE PROGRAM COMMITTEE: MAYAH COMMS. FOR AUGUST OR SEPTEMBER. NONE FOR JULY AT THIS POINT.

UNFINISHED BUSINESS: NONE

NEW BUSINESS OR ANY ITEMS FOR THE CHAPTER INTERES: NON TECHNICAL SEMINARS FOR PRODUCTION/EDITING. WILL INVESTIGATE.

NEXT MEETING DATE AND LOCATION: JULY 12, 2012 AT THE CLEARCHANNEL STUDIOS. NOTE THAT IT IS NOT TUESDAY. ONLY FOR THIS OCCASION WILL BE ON THURSDAY, REQUESTED BY OUR GUEST SPEAKER. TIME: 6 PM

MEETING ADJOURNED: AT 12:46 PM

A NOTE FROM THE EDITOR :

HAVE A WONDERFULL FOUR OF JULY!

JULY PROGRAM

In June, we had **JOHN LACKNESS**, with a wonderful presentation on products of



With emphasis on RPU's.
Thank you John.

Now, for this month, directly from Washington we will have **ALFRED KENYON**, Program Manager of IPAWS Program Office, National Continuity Programs, Department of Homeland Security.

When? Thursday July 12.

Time? @ 6 PM.

Where? At the ClearChannel Studios.

Chiefs, please don't miss it !!

PIZZA AND DRINKS !!!

