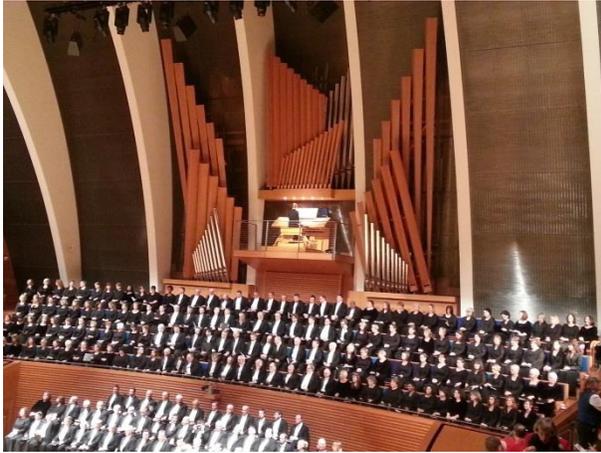


The Sunday Brief: FYMHM (Five You May Have Missed)
2 December 2012



Greetings from Dallas and Kansas City, home of the [Kauffman Performing Arts Center](#). The picture to the left is of the crow's nest organ and the Grammy-nominated Kansas City Chorale from Friday's performance of Handel's *Messiah*. Simply put, incredible acoustics and hundreds of talented musicians delivered one-of-a-kind performance. It was the perfect way to start off the Patterson family (senior) Golden Anniversary weekend. Kansas City left its fourth mark on the world in 2012 with this performance center – it's simply spectacular. (The other three, IMO, are [BBQ](#), their [Major League Soccer team](#), and [Harry S. Truman](#)).

As I mentioned last week, we have had a dramatic rise in interest in this column over the past four weeks with several hundred new additions (thanks for forwarding to friends and colleagues who are subscribing in droves). As a result, only a few hundred of you remember the previous format of the Sunday Brief in which we would analyze a particular topic and, at the end, conclude with a brief snippet called "Five You May Have Missed." Many of you continue to provide feedback that you kind of miss this feature (we discontinued it due to the time and production constraints), and one of you even quipped "the first thing I do is look at the pictures and then go to the FYMHM to see if we were featured." So much for the inspiring and provocative analysis contained within the column...

So, this week, we devote the whole column to FYMHM. We like this because while big theme pieces are fun to write (and many thanks for the comments and feedback on last week's AT&T column), it's also great to illuminate the undercurrents running through the technology and telecommunications world.

FYMHM #1: Another Windows Launch – Swing and a Miss?

This week, we begin at the same point as when The Sunday Brief was regenerated in April: A Windows Phone Launch. At that time, we scratched our heads at the timing of the launch (Easter Sunday), the pricing of the device intending quickly to grab market share, the lack of compatibility with previous and/or future versions, and the lack of applications in the Windows store.

Not sure if you're eligible for an upgrade? [Check upgrade eligibility](#)

at&t
Nokia Lumia 920 4G Windows Phone, Black (AT&T)
★★★★☆ (100 customer reviews)
Backordered. Usually ships in 1 to 2 weeks

- Amazon Wireless Best Price Guarantee (See Details)
- FREE Two-Day Shipping (See details)
Orders received by 3PM ET Mon-Fri are delivered in two business days (pending carrier approval, excludes P.O. boxes)
- Includes AmazonWireless Instant Discount
Restrictions apply. (See details)
- AT&T Early Termination Fee (See details)
\$325 minus \$10 for each full month of service

Select service type to add to cart

New AT&T Customers

- Individual Account
- Family Account

Existing AT&T Customers

Upgrade My Phone (contract extension)

- I have an individual account
- I am part of a family account

Add a line (new contract)

- To my individual account
- To my family account

Replacement Phone

- Phone only (no contract changes)

List Price: \$599.99 Price: **\$69.99**

This phone is available in ZIP Code 75244 (edit)

[Add to Cart](#)

Want to keep your current phone number? [Learn more](#)

Fast forward to the fourth quarter of 2012 with the launch of the [Nokia Lumia 920 \(AT&T\)](#) and the [HTC Windows Phone 8X \(AT&T, Verizon Wireless, and T-Mobile\)](#). Both the Lumia and the HTC 8X are great devices – multiple and fast processors, plenty of memory, great cameras and superior sound. Nokia

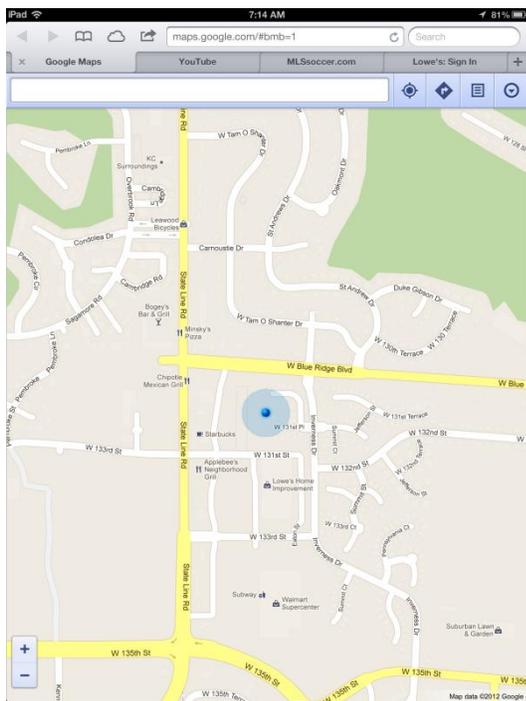
and HTC also managed to break the \$100 barrier as an entry price, which isn't as good as free, but certainly conveys value. One AT&T store rep I talked to this week (who had sold "at least a dozen" Windows phones in November) said that when potential smartphone customers look at the HTC and Nokia devices, they "want them more than the iPhone." (Note the qualifier – *potential* smartphone customers. That's a dwindling subset of the wireless world).

This launch will not be faulted for timing, handset pricing, hardware features, or lack of marketing support. But it will be faulted for availability. A quick check of the [AT&T store locator system](#) shows that supplies of the Lumia 920 are extremely limited (even Black Matte is Out of Stock in most stores). As the picture shows, Amazon's Wireless store is sold out for 1-2 weeks (which means delivery as late as December 16). The supply situation appears to be even more dire with [Walmart's on-line system](#). All of the carriers seem to be having more success with keeping the HTC device in stock in their company-owned stores but that may also be a matter of time.

I am rooting for a successful Windows 8 launch. The devices are great, and, while the app store is still starved for enough applications to cause diehard iOS and Android users to switch, there are some great applications for new users available, especially if PC/ Tablet integration is important.

The quickest way to reduce in-store enthusiasm for a "challenger" product is to have limited or no consistent supplies. Unfortunately, this appears to be the case with the flagship Lumia 920 in the US. Strike two.

FYMHM #2: Heads Roll as Apple Maps Flap Impacts Siri Credibility



It would have been very hard to miss this story this week, but just in case you did, [Apple dismissed the manager in charge of the Apple Maps product, Richard Williamson](#). With articles proliferating on how to link your Safari browser to "create" both Google Maps and YouTube to an iPad or iPhone, it's a testimony to the preference for Google's product suite.

The Patterson family is operating system neutral when it comes to navigation – we swing from both the Google Navigation and the Siri-generated Apple Maps sides of the plate. My 14-yr old son and I were ready to put this to the test a few weeks ago as we were trying to discover a Bank of America ATM near our favorite barber shop in Dallas. We're still learning the roads, and there's a lot of construction going on which can make it even more challenging.

To make the long story short, we got lost in suburban Dallas. There were no issues with Siri understanding our verbal command, and the search showed that Siri had detected a Bank of America location, but the database was not accurate. Fifteen minutes later, we gave up, not only on our search, but likely on Siri for any future navigation assistance. (Google Navigation using my Samsung Galaxy SIII found the nearest ATM with speed and ease).

In the world of integrated applications, failure to perform the desired request not only impacts future use of the mapping applications, but also the Siri front end. And that's a big reason why Apple is taking swift action to fix Apple Maps.

FYMHM #3: Retransmission Disputes Heat Up – Again

Many long-time readers quickly skip over the retransmission section. Please – stick with me here – retransmission disputes are the mother's milk of cable. As go the disputes, so go the video futures of the cable industry.

Just yesterday, St. Louis DirectTV subscribers were spared losing KSDK (Channel 5) programming thanks to a last minute settlement. In addition to St. Louis, 22 other markets were potentially impacted by this dispute. Also this week, [Charter Communications ended a particularly lengthy and bitter dispute with LIN Broadcasting](#) which would have impacted customers in six states.

Retransmission fees are rising at a rate far faster than inflation, resulting in an even greater increase in the rates that cable and satellite providers charge their customers. Unthinkable just a few years ago, local channels (like Gannett) are beginning to hop on the retransmission bandwagon, charging fees to carry local stations that were previously carried for pennies per subscriber per month if not for free.



If that isn't bad enough, local stations are coordinating their retransmission negotiations to coincide at the same time, meaning that failure to complete negotiations would result in two or more local channels being off the air in a given market. The [American Cable Association recently filed a motion](#) with the FCC regarding this matter.

I cannot wait to run an end of the year report entitled "Why is Honey Boo Boo Crying?" Without a doubt, there will be outages and both sides will cry foul as we enter 2013. The FCC should resist doing anything beyond mediating, but I have this sinking feeling they will get more involved over the next four years.

FYMHM #4: Nokia Sues RIM/ Blackberry

This week, we learned that Nokia sued Blackberry to enforce the terms of their original 2003 agreement as well as the Stockholm Chamber of Commerce arbitration ruling.

At issue is whether the "standards essential" elements should also have included the "non-essential" elements for WLAN technologies. While articles on the topic did not outline which WLAN technologies were deemed to be "non-essential," it's safe to assume that connectivity is a primary function of any wireless device and disabling these functions is not an option.



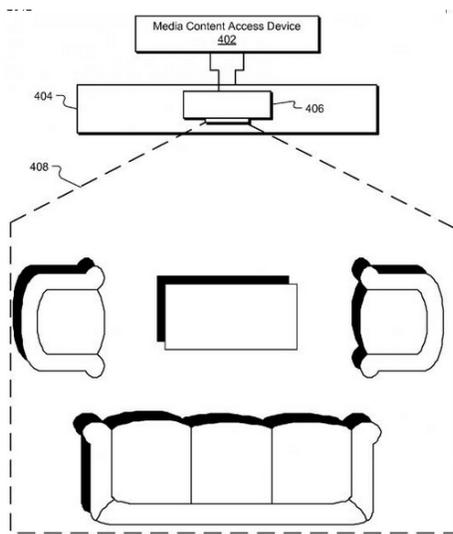
RIM took the case to the Stockholm Chamber of Commerce for arbitration (likely listed as one of the arbitration venues in their original agreement) and lost the case earlier in November.

As Nokia and RIM battle each other for the Bronze medal of operating systems, the rest of the telecom world shakes their heads, amazed at the behavior of two weakened warriors (the first visual I had selected for

this section was that of two children strapped in the backseat picking on each other). This news did not seem to hurt RIM's stock this week, but as the chart shows, it's not been a good year for either set of shareholders.

FYMHM #5: Verizon's Intriguing Patent

Finally, this from my friends at [Fierce Cable](#): Verizon has applied for a patent that ties television advertising to projected events occurring in the proximity of the television set. The picture and the corresponding description, [taken from the patent application](#) say it all:



“To illustrate, an exemplary ambient action may include the user eating, exercising, laughing, reading, sleeping, talking, singing, humming, cleaning, playing a musical instrument, performing any other suitable action, and/or engaging in any other physical activity during the presentation of the media content. In certain examples, the ambient action may include an interaction by the user with another user (e.g., another user physically located in the same room as the user). To illustrate, the ambient action may include the user talking to, cuddling with, fighting with, wrestling with, playing a game with, competing with, and/or otherwise interacting with the other user. In further examples, the ambient action may include the user interacting with a separate media content access device (e.g., a media content access device separate from the media content access device presenting the media content). For

example, the ambient action may include the user interacting with a mobile device (e.g., a mobile phone device, a tablet computer, a laptop computer, etc.) during the presentation of a media content program by a set-top box ("STB") device.”

There are many places to go with targeted advertising, and this patent establishes a frontier that few have sought to pursue. How about first correlating advertisements to relate to the content that I am

watching? And if I am sleeping, does it really matter what ad you show? It's going to be fun to see where Verizon takes this patent and if they actually create a FiOS "I-ON-U" product.

That's it for this week. Next, we'll start our 2013 Wish List. Nominations are welcome. If you have friends who would like to be added to this email blog, please have them drop a quick note to sundaybrief@gmail.com and we'll add them to the following week's issue. Have a terrific week!

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