

Commenter's Name:

Timothy Holdener

Proposed Class:

5A - Fred von Lohmann, Jennifer S. Granick, Electronic Frontier Foundation.

Proposed Class Description:

Computer Programs that enable wireless telephone handsets to execute lawfully obtained software applications, where circumvention is accomplished for the sole purpose of enabling interoperability of such applications with computer programs on the telephone handset

Summary of Argument:

Motorola RAZR V3M uses Digital Rights Management that is expensive and fails to secure transferred personal data.

Argument:

I bought the Motorola RAZR V3M, a camera phone, through the Verizon Wireless website. I then purchased Motorola Phone Tools software online in order to make a "backup" copy of my address book. The "Phone Tools" software is the only way to get any recorded data off of my RAZR.

My employer is a company that makes consumer products, and I give white board presentations at meetings. I know that Motorola's "Phone Tools" software normally permits me to take pictures of my presentations using my phone, transfer them to my computer, and send them to my colleagues for later reference. Motorola advertises these features of their Phone Tools software in their online store. Verizon artificially blocks direct photo uploads from my phone to my computer by eliminating functions the software is normally capable of performing.

The software forces Verizon customers instead to send photos, at 25 cents per photo file, over the Verizon network to our Internet email inboxes. This is not an option for me,

because the email communication is unencrypted. I can only send these photos over a secured network, because they might contain sensitive information about my company's products.

I have read that Motorola eliminated the direct download option because of its contract with Verizon. If I could jailbreak my smartphone, its functionality would not be held hostage to the interests of Verizon.