

I wish to provide arguments for the continuation of the cell (smart) phone jailbreaking exemption of DMCA and an increase in the number of devices which are covered by the jailbreaking exemption. Plainly stated I have purchased a computer, it may be small and it may may phone calls but it is none the less a small computer. For decades the personal computer pioneered by IBM and HP has had a very clear distinction between hardware and software, they are independent and the purchase of the hardware made it personal property with which one could do as they please. I therefore do not understand the shift in paradigm where a restriction is being placed upon a computer which I purchased. I enjoy the freedom to pick the color of my car's paint, the type of socks I am allowed to wear with my shoes, and the operating system I am allowed to put on my computer be it Windows, Linux, or another.

I do not know what argument Apple Computers and other companies put forward which can be convincing that the DMCA should restrict the operating system I can place on my phone. Once the phone is purchased, the phone maker has received the money they had hoped for in the sale of their product. The audacity of Apple's goal, to force users of their phones to user their operating system where purchases can only be made through Apple seems greedy and without a true security benefit which was the original reason for the DMCA. An equivalent example of the paradigm Apple hopes to create would be if Ford force all owners of their vehicles to purchase only Ford branded parts with the threat of fines and jail time. This simply does not make sense with the common sense understanding of personal property.

I hope that logic and common sense for personal property triumphs over the greed which is fueling this entire debate. Please continue the exemption of phone jailbreaking and extend it to all personal computing devices such as tablets.

Adam Leibel
software engineer with Intel Corporation (not speaking officially).