

Copyright Office: I'm writing to support DMCA Exemption #5: Phones and Tablets.

The continued legality of "rooting" electronic devices is an essential right, and one that must be upheld. In particular, in the fragmented device landscape that we live in, manufacturers are not always able to keep the consumer's best interests in mind. At its very core, the device I have purchased is mine, and I should be able to modify/disassemble it as I please. Rooting my phone does no damage to other users of the devices, it poses no harm to the public; it is a risk that I, as the owner of the device, should be able to take.

In particular, I value the ability to root my phone. I'll relay a short anecdote: I have had Android-based phones for the last 2.5 years and I love the flexibility of the platform. I started with a Droid Incredible, moved to a Droid X, and four months ago, to a Droid X2. Although I purchased the device only a few months ago, the software bundled with the device was horrible. I only got one update while I owned the phone, and it doesn't solve any of the myriad issues I had with the phone: it would reboot randomly, drained the battery at an alarming rate, and became slower and slower over the months that followed. In particular, the phone would frequently take 5-10 seconds to respond to tapping on a button: the process of using the phone became agonizing, and since I had just purchased it, there was little hope of getting a replacement. Although I had never rooted a device before this, I turned to a new distribution of Cyanogen 7 to solve my issues with the device. I rooted the phone and installed the custom operating system, and my phone has been snappy and relatively bug-free since.

Verizon and Motorola don't have any real incentive to fix the device: it apparently didn't sell well, and the amount of effort to fix the flawed product is probably not worth the investment. Because of the high-turnover nature of the smartphone market at the moment, this sort of situation frequently leaves customers in the lurch, and rooting is often the only viable option to make the device usable again. Although I think the problems with the industry should also be fixed, it's important to keep customers in control of the devices they purchase.

I'm an Android app developer, and one of the hallmarks of the platform is openness. We believe in transparency: it provides security and quality that closed systems frequently cannot match. We believe in customizability: all devices are not created equal, and there is value in tailoring a device to a specific set of user needs. Criminalizing the process of rooting a device will put a stake in the heart of innovation on this vital platform, and lead to stagnation of the industry. As a country, we need to encourage tinkerers. We need to push for innovation. Please keep rooting legal.

Thank You.
Eric Denman