

1. Smart phone jailbreaking is not a crime
2. Tablet jailbreaking is not a crime
3. Video game console modification is not a crime.

I am replying to the issue of tablet, smartphone, and video game console jailbreaking.

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Hi, I am Jay Matthews. I am a college student studying to be a database administrator. I currently hold an AAIT from the University of Phoenix, and I am finishing up on my undergrad this spring. DRM has greatly hindered my educational process, and to know that these forms of digital chains could possibly be coming to the devices I own is a disheartening thought to a person in my field. I have often had times when I needed to read my books, which are all digital being an online student, and I could not because the DRM would not cooperate with my device. It was not that my device was incapable of displaying the material, but that the DRM prevented the material from opening up on the device. Only by "jail breaking" the device was I able to do something so simple as input my name and password to open my DRM protected books that I have a legal right to read. I understand the desire for companies to want to protect their technology, but being a computer professional/enthusiast it is essential for me to understand how these devices work thoroughly for both educational benefit and to better serve my clients needs.

Consider jailbreaking the same as one modifying their vehicles. It is not a crime to look under the hood and change a mass air flow sensor that could potentially increase gas mileage. Why should it be a crime to improve the performance of the vehicles that I use to travel the information super highway. It is a shame that in a free and open society we are even having this discussion. A corporation should not be able to control a device I paid for from the factory to the trash can. Essentially the entire life cycle of the device is owned by the company.

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Earlier last year I had an experience with Sony's Playstation where they digitally removed a feature that was the ultimate deciding factor for my purchase of the device. In order to continue using the Playstation the way it was intended I either had to allow Sony to remove the "other os" feature or render my entire library of games and movies useless to retain the feature. Essentially I had no choice. I either lost thousands of dollars of material or lost a major feature of the device I paid for. I chose the latter, but even though I never used the other os feature it was THE feature that swayed my attention away from the major competitor of the Playstation. Fortunately there were other enthusiasts who felt the same way I did and "jail broke" the console to ensure that users who wanted to keep what they paid for were able to do so.

Conclusion

Consumers need protection. Companies cannot own a device that they have sold to consumers. Once the device becomes the consumers property it is just that. The property of the consumer. He or she should be free to do with it as they please. If I purchased the device with my money it should be mine otherwise both me and the device are slaves to the company. We must do what they say when they say or risk losing features. It's not like I can take my money back either. My requests will fall on deaf ears because I have tried. The PS3 update in reference here is 3.21. I tried to participate in a class action lawsuit, and since have not been reimbursed for the mutilation of my property. Sony still has my money, and I have half of what I paid for.

If jail breaking is illegal where does it stop. Both Android and IOS are variants of other operating systems that came before them. Essentially they are just modifications of Linux and Unix. Are they allowed to make modifications and not the consumers? Is vehicle modification next to be outlawed? Is PC modification next? Where does it stop. Do not let these protections expire consumers need protection.