

# Jailbreaking devices is not a crime.

Smartphones, tablets, and video game consoles are powerful computers with lots of untapped potential. Yet many of these devices are set up to run only software that's been approved by the manufacturer. Modifying a device to run independent software - known as jailbreaking - is important to programmers, enthusiasts, and users. Some device manufacturers claim that jailbreaking violates Section 1201 of the Digital Millennium Copyright Act (DMCA), which carries stiff penalties.

I am asking the U.S. Copyright Office to declare that jailbreaking does not violate the DMCA

In 2010, the Copyright Office said jailbreaking smart phones doesn't violate the DMCA.

Please renew that and expand it to cover all personal computing devices.

Many hobbyists, programmers, enthusiasts add great value, free marketing, and innovation to the marketplace, by figuring out how things work, and writing helpful software tweaks, and sometimes that

requires 'jailbreaking' a device. This activity benefits the device makers, by expanding their utility, giving them free advertising, and many other ways. And it encourages a great tradition in this country of the freedom to explore how things work.

In my case, its valuable to be able to see how things work, just to better understand the technology. I see many valuable free software addons come out as well from this process, and in some cases, these are things that the vendor did not know how to write. So this can fill valuable gaps in a product offering. The vendors can then write their own version if they like, and sometimes they do. To tighten this area up, for short term vendor gain, is to stifle innovation and in the long term will harm the income of the greedy vendors who think this is a good idea today.

I have some ideas of my own for software development, and have written some things for small devices. Some of my future ideas would require jailbreaking, but rules like the DMCA are very discouraging to the small time would be inventor, and makes me think about spending my time on other pursuits that won't be legislated away from me.

There is a balance between protecting copyright to encourage innovation, and making the law so

restrictive that it discourages innovation. And frankly, it bothers me that companies think that laws like DMCA are better tactics than opening things up, and reaping the benefits of an open environment - did they not learn anything from the huge benefit IBM got from opening the PC architecture? They went from behind to become the defacto standard for PC, because they opened up the hardware, when others were going the proprietary route.