

To Whom it may concern,

I am writing to support the motion to keep Jailbreaking of iPhone devices legal. My concern and interest is as a consumer and hobbyist and I support my friends who wish to jailbreak their devices.

My understanding of Jailbreaking is the installation of programs to the iDevices such as the iPhone or iPad that Apple does not support – eg – Cydia. Cydia provides an interface for which to download programs that allow the configuration of the iPhone and iPad that open capabilities that Apple have chosen to restrict.

My main reason for jailbreaking is that I rely on being able to use my iPhone in multiple countries and consider it an inconceivable inconvenience that any company should be able to prevent a consumer from being able to use Sim cards other than the carrier for which it was sold. Jailbreaking for me enables me to alter the baseband so that it accepts any sim card.

I also have lived in Ukraine for 3 years during which time the iPhone was released and established itself as the standard for touch screen mobile phones. Even after 5 years after the initial release of the iPhone it is not possible to buy an iPhone in Ukraine from an official supplier. I understand that this is the case in a number of countries and those wishing to be part of the ‘real world’ and have the same purchasing opportunities as everyone else in the world are unable to do so as Apple excludes Ukraine from the list of countries in which they distribute the iPhone. For this reason I believe it would be nigh on racist to ban Jailbreaking as it is a lifeline for those who live in Ukraine and wish to continue using their iPhones.

Lastly, I believe it is only fair that anyone can purchase an iPhone legitimately through eBay and be able to modify their phones so as to be able to use them in the country of residence. Hence jailbreaking also supports those international customers whose only option is to purchase at more than one and a half times the cost of what is paid in the U.S just to get a device that will work without Jailbreaking on a network of their country of residence. For example in New Zealand Vodafone in July 2011 sold the iPhone 4 for \$NZ1100 without a contract when at the same time in the U.S it was possible to buy the same device for the equivalent of \$NZ750 which is completely unfair.

The other part of the argument is the configurability that the iPhone is capable of is restricted by Apple. I believe this to be unfair as well as anyone who purchases a device should have the full right to be able to alter it at their personal discretion. For example the iPhone has been fully capable of being used a mobile access point to the internet; it has been possible for around 3 years to use the iPhone’s GPRS/Edge or 3G internet connection to tether to a computer to provide internet to the computer via the phone’s wifi, Bluetooth or USB connections. However, Apple restricted this and users who wished to use this capability were forced to purchase and application through Cydia to enable this capability. It was a lifeline for me and my family as DSL internet was not available in the house where we lived in Ukraine.

Criminalizing jailbreaking would make criminals of individuals whose only desire is to use the wonderful capabilities of their iDevices. Apple seems hell-bent on preventing users from using their devices as they wish and though I believe they have the right to build a level of protection into their software I don't believe the law should be used to prevent those who prefer to use their devices as they please rather than be dictated to by the company sells them.