

To Whom It May Concern:

I am writing to urge the U.S. Copyright Office to extend the Digital Millennium Copyright Act exemption for 'jailbreaking' or 'rooting' smartphones in order to preserve the public's interest in modifying these devices to more adequately suit the purposes of the end-user.

I am a smartphone enthusiast and hobbyist who owns an HTC Evo 4G on the Sprint network, and within one month of purchasing it in March 2011 I had rooted the phone and installed a custom software/operating system called Cyanogenmod that allowed my phone to run more smoothly, save internal memory, erase unwanted applications that were included with the factory-stock operating system, and modify the user interface outside the limitations of the stock software. Additionally, installing a custom Android operating system greatly improved my data security by eliminating the infamous Carrier IQ software that came pre-installed on the factory OS, and was undeletable except through rooting.

I would encourage the U.S. Copyright Office to continue to extend the sections of Digital Millennium Copyright Act which allow for jailbreaking/rooting smartphones. Doing so would allow users of all types to optimize these devices to suit their personal taste as well as give valuable improvements in data security where OEM manufacturers and service providers have failed to do so, or lagged significantly behind the development communities for these devices in doing so. Indeed, manufacturers such as Samsung have given devices to well-respected developers in order to further their own research and design into customized operating system packages. It is my hope that the U.S. Copyright Office will continue to support innovation and development which is beneficial for all smartphone users and manufacturers.

Thank you for your time and consideration.

Sincerely,

Josh McCullough