

Jan, 26, 2012

To whom it May Concern,

With regard to comment number 5 on the modification or “jailbreaking” of smartphones and tablet devices: I believe that the exemption for “jailbreaking” Apple products should be maintained. I believe that smartphones and tablets are essentially PCs—many people use them in lieu of PCs, myself included. I believe that if a person owns a PC, how they modify said PC is entirely their business if they are not engaging in an act of piracy.

I am a student who spent his life around PCs. I remember my father (a writer) using MS-DOS to modify the program XY-WRITE in order to better format scripts and plays—it made his job easier, better, more productive. I believe that where a person’s personal needs come up against limitations presented in proprietary software, they have a right to modify the software so that they can better use it.

I myself have no need to modify my smartphone or tablet in order to work, but the ‘tweaks’ made possible by jailbreaking certainly make my experience easier and more suited to me. For example, I write using my iPad and this often involves sitting away from the PC and appraising a document. During this time, the iPad will go into ‘sleep mode’ and lock, causing it to become decoupled from my keyboard and forcing me to once again ‘unlock’ the device and re-pair my keyboard. I appreciate the entire removal of a lock-screen, and the ability for my iPad to stay coupled with my keyboard—both of these modifications are made possible through jailbreaking. I also appreciate the fact that I can allow my connection to the iTunes store to be maintained, even if the app is running in the background, so that I can use APPLE’S SERVICE to download music. Further, I appreciate the fact that I don’t have to close the document I’m working with in order to answer messages, turn wi-fi on or off, or enter ‘airplane mode.’ I’m not pirating software, I’m not upending Apple’s OS, I’m simply tweaking what they are doing to better suit my needs as an individual—I’m making my iPad more similar to a full-fledged PC.

I don’t see GM prosecuting tinkerers for modifying their vehicles—nobody was arrested on the MTV show “Pimp My Ride.” I don’t see the estate of Ms. Julia Child filing suits when people tweak her recipes and post them on their Facebook page. I don’t see Microsoft involving the law when people overclock their PC’s, or remove language packs that needlessly take up space on a PC’s hard drive.

It is Apple’s prerogative to deny coverage or warranties to individuals who seek to modify their technology, but I don’t think that the onus for what we can and cannot do *with our own property* should be on the legal system.

Thank you very much.

Sincerely,

-Julien Levy