

U.S. Copyright Office

To whom it may concern,

I am writing to request a permanent extension to the current (temporary) DMCA exemption on jailbreaking of phone and table devices (class 5).

Certain hardware manufacturers choose to impose restrictions on devices they sell, which prevent consumers from using their property in the manner they choose. In many cases, features of these devices are intentionally crippled in order to encourage users to upgrade to minimally-improved hardware. Such restrictions create a poorer experience for all end users.

I own my phones and tablets factory unlocked and contract free. However, I rely on customized voice-activated software for my work. This involves launching applications with specific parameters - something which isn't offered on any stock device. Other features, such as the ability to customize an interface with shortcut buttons or toggles, firewalls for data, calls and SMS, file-system browsers and additional security applications would not be available to us if jailbreaking were illegal.

The counter-argument about piracy is extremely tenuous. There are ways of specifically tackling piracy which could be implemented more vigorously. They could be. They should be. But until now, piracy hasn't been a specific target of most device manufacturers, because it has suited these companies to collectively group jailbreakers and pirates together, in order to ensure a commission on all software sold for their devices. Who would buy a Linux computer or a Windows PC if the manufacturer refused to relinquish the root password or administrator privileges? Why do we accept such ludicrous behavior from smartphone or tablet manufacturers?

Please make the current jailbreaking exemption PERMANENT for smartphones and tablets.

Sincerely,
Dr. Paul Batten.