

Dear Copyright Office,

My name is Shawn P. Thomas, and I am a 40yr old married Father of three wonderful children. I am writing to address the proposed Classes of works #5. I wish to assert my right as a current and future owner of Apple and Android products to use them in any legal fashion I choose. I currently own two new iPod touches (jailbroken) and several android smartphones which are all rooted. My children have a PS3, Xbox360, and a Nintendo Wii. As a family, we are very technically oriented and enjoy using all of the aforementioned items on a daily basis. My 13yr old daughter and I enjoy the iPod touch very much. From Music, games, and instant messaging....they get a lot of use every day. My Wife and I enjoy our Android phones for same reasons and they have increased our communication which is always a positive. Now, I enjoy customizing all of my toys and should have the right to do so once I buy the product. Without the ability to root my phones or jailbreak my iPod touches, there is a lot of customization and usability that I would lose. I do not think that is right. My best argument is this: I own a late model Ford Crown Victoria that has a modified computer chip in it. My Ford dealer knows the chip is there and warned me that it violated my warranty. I told my dealer I understood that but this was my car and I have the right to modify it so that it performs in a way that is value added to me. I feel the same way about everything I buy. If a modification voids a warranty, then it is my choice whether or not I value the warranty more than the performance I may gain from the said modifications. If Ford were to come out and say that you can't modify our products period once you buy them...I would say they are crazy. It's preposterous to even assume that you have the authority to tell me what I can and cannot do to modify a product for my own use after I have purchased it (speaking of using the product for legal purposes).

Now, I don't have a legal argument to site or reference. If the common man can't make an argument in his own defense, then this is a futile process to begin with.

Thanks for your time and attention,

Shawn P. Thomas