

## **Short Comment Regarding a Proposed Exemption Under 17 U.S.C. 1201**

### **Item 1. Commenter Information**

Blinky X

### **Item 2. Proposed Class Addressed**

Proposed Class 16: Jailbreaking — Wireless Telephone Handsets

### **Item 3. Statement Regarding Proposed Exemption**

*Explain why you support or oppose the relevant proposed exemption.*

As a blind, free-lance Assistive Technology Specialist, I am submitting this correspondence in support of extending the DMCA's exemption on Jailbreaking specifically pertaining to "Proposed class 16." While I could elaborate on how Jailbreaking has been a hub of innovation and advances in the development and security of Apple's mobile operating system, "IOS," I sincerely hope my sharing some of my experiences as a blind jailbreaker will provide you with a greater insight as to why I strongly believe the exemption should be extended.

Initially from a tactile perspective, the iPhone with its touch screen design is somewhat intimidating to a blind person. Fortunately, once the user has become proficient in the operation of Apple's built-in screen reader, "Voice Over" and can navigate the device as well as a sighted person can, the experience is life changing. My iPhone has literally become, "the eyes in my hands."

When considering the high cost of these devices and the fact that Apple offers a wide variety of apps designed especially for the blind, it is difficult for some to understand the logic of jailbreaking which essentially voids the warranty and to some extent compromises the phone's integrity.

Some have argued that an Android smart phone which also comes with a built-in screen-reader "Talk Back," ease of modification via, "rooting" and substantially cheaper price is a good alternative. Unfortunately, the cheaper parts, clunkiness of Talk Back and fragmentation of its OS for me makes it less than an acceptable user experience. Additionally, most developers creating apps for the blind choose to do so on IOS's more stable OS rather than deal with the fragmentation of the Android platform.

Though I could give you dozens of examples as to why I've chosen to jailbreak my iPhone in spite of the aforementioned concerns, the two major reasons are functionality and maintenance.

An example of functionality could be found in how a blind person tells time. In most cases this involves some form of auditory feedback and is difficult to do discreetly. My jailbroken iPhone however gives me the ability to tell the time by a series of vibrations and therefore allows me to tell the time without drawing attention to the fact that I am doing so. I've had this ability for four years while the Apple Store has no such app to this day.

Regarding maintenance, though Apple continues to make innovations, one of its drawbacks has been its increased reliance on the home button which has resulted in higher incidents of mechanical failure due to excessive use. Being jailbroken, I am able to activate the springboard, Siri, the app switcher and the spotlight search (all requiring pressing of the home button) simply by tapping sections of the touch screen rather than the button itself. This helps to preserve the life of the button by greatly reducing the need to continuously press it.

Individually, these tweaks may appear trivial, however in my case, their combination has resulted in a level of accessibility and freedom which at present is unmatched. To criminalize my ability to modify a device I've paid for in order to be more independent would in my opinion be the real crime. I therefore would urge you to support extending the exemptions and to seriously consider the ramifications upon those like myself if you don't.