

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

Item 1. Commenter Information

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Item 2. Proposed Class Addressed

Proposed Class 17: Jailbreaking—All-Purpose Mobile Computing Devices

Item 3. Statement Regarding Proposed Exemption

This letter is in support of an exemption for all-purpose mobile computing devices. I was not an early adopter of the iPhone, and did not get one until the 4S version was released. I am now on my second one and have an iPad as well. Initially I wanted a device that would allow me to customize it as I saw fit, and I had a Nokia E71 running the Symbian OS. It turned out there wasn't too much available on this OS to my liking. Once I became aware of the freedom jailbreaking provides to iDevices, I made sure my next phone would be an iPhone. I have Macs and other members of my family have iPhones, so it made sense to get one as well. This allows for easy messaging through iMessage as well as better integration with my traditional computers.

In addition to the numerous customizable options provided by the jailbreaking community, I have found myself far more interested in learning about how the OS works and how to make my device do what I want it to. While some of the "tweaks," as they're called, are minimal modifications to the appearance, the ones I have come to depend on make a non-jailbroken device feel restrictive and unfamiliar. The actions that can be done through the use of Activator, a gesture based tweak, are vast and ones I use range from simply enabling Bluetooth to bringing up a list of available wifi networks to quickly launching an app, all with the simple swipe of a finger. I use too many tweaks to name in order to customize my experience.

An entire community of developers and users has formed as a result of iOS jailbreaking. It's a community that supports, encourages, collaborates, and helps its members. This has made for even more dynamic tweaks and possibilities. I'm happy to be a member of this community and have encouraged friends and family members to jailbreak their devices as well. I know where to go to ask for help, and offer my help when I'm able. In addition, several functions that are introduced in major iOS releases have either come directly from a jailbreak tweak or are obviously inspired by one. So to some degree, Apple depends on this community for innovation.

In conclusion, I strongly believe jailbreaking should receive an exemption. It allows for creativity, ingenuity, collaboration, and the freedom to customize one's purchased device how one sees fit. As our mobile devices become more and more ubiquitous, they really should be allowed to be customized to each user's specific uses and wants. Jailbreaking allows for this, opening up the platform to utilize the device in a manner not foreseen by its creators. Clearly these devices are capable of far more than the manufacturer limits allow because a jailbreak frees it from these limits and unlocks its potential.

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