

# 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

I am writing in support of Proposed Class 17, extending the existing exemption allowing jailbreaking of wireless telephones to other all-purpose mobile computing devices. Jailbreaking wireless telephones has become a more common and widely-accepted practice due to the limitations that are continually imposed on wireless telephones by their manufacturers. The restrictions included on wireless telephones may be designed for ease of use or to prevent accidental changes however, for the more connected and tech-savvy owners, these limitations prevent using the device to its full potential and have negative consequences which cannot be disabled by default. Since 2010, wireless telephone manufacturers have expanded their product lines to include all-purpose mobile computing devices, such as tablets and touch-screen MP3 players. These devices commonly run the same Operating System as a wireless telephone and have inherently the same limitations and restrictions imposed on them by their manufacturers. Therefore owners of mobile computing devices feel the need to jailbreak these devices in the same manner as their mobile telephones, in order to unlock the full capabilities of their device and have more control over what information is being shared with others from that device.

It is my opinion that there are no relevant differences between “wireless telephone handset” and “all-purpose mobile computing device” for the purposes of considering a jailbreaking exemption. These devices are becoming integrated with internet services and perform very much the same functions with differences in form factor, cost, and individual performance characteristics. As stated earlier, nearly all-purpose computing devices run the same base software, or Operating System, as their wireless telephone counterparts (i.e. Apple iPad and Apple iPhone). These devices are easily distinguished from laptop or desktop computers by their size, shape, and operating system. Laptop and desktop computers are much larger and more expensive, using an advanced operating system, and are designed to be modified and changed by their owners. Jailbreaking in the sense of mobile devices has never been necessary on laptop or desktop computers due to their open and unrestricted nature by default.

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