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Exemption to Prohibition on Circumvention of Copyright Protection Systems for Access Control Technologies

Classes 3, 4 and 5

Below are general comments that apply to all three of the classes listed above.

1. Which jailbreaking exemption are you supporting—smartphones/tablets, video game consoles, or both?

All, really. When you buy a device, it is yours and the ability to load different software on it should not be a dispute.

2. What's your background (i.e., are you a developer, hobbyist, academic, independent researcher, user, etc.)?

Hobbyist mostly, although I am also a developer of mobile apps and work developing software products in my day job.

3. What device do you want to ensure you have the legal authority to jailbreak?

Specifically, at the moment, Android devices. Also, Apple devices, and more specifically the Apple TV. But, this is just at this point in time - there will no doubt be future devices that have yet to be imagined that I will want to work with in ways the manufacturer did not intend.

4. Please explain why you want to jailbreak this device. What limitations do you face if you aren't able to jailbreak it? Is there software you couldn't run, computing capabilities you wouldn't have, cool things you couldn't do, etc.?

For Android devices, most of the software that comes with them is tailored to a certain audience and to the manufacturer or carrier, but that's not me. They care less about performance or battery life than trying to sell their wares or making it look/act a certain way. That's their prerogative and that's fine, but if I don't want that experience, let me load a different kernel, different ROM and make it my own. If I want your experience, I'll leave it the way it is. Many times that is the better option, but not always.

5. If you're a developer, did an online application store or console manufacturer reject your app or game? If so, what reasons did they give?

I haven't been rejected yet.

6. Is there anything else you want to tell the Copyright Office?

In general, making it illegal to "jailbreak" or "root" a piece of hardware hurts innovation, which is essentially what this country is built on - the free and open economy. Perhaps the next Bill Gates or Steve Jobs (yeah, there are others, but those are the easiest) starts something big because he/she was able to load custom software on a retail piece of hardware. Don't keep great thinkers and businesspeople from becoming just that by limiting the breadth of options open to them.