

Hello,

I am contacting you about the issue of jailbreaking. It is my understanding that the DMCA exception for jailbreaking is due to expire, which would potentially make it a crime for a person to modify their legally owned electronic devices. I am firmly against eliminating this freedom.

I am a software engineer by profession and I have been a computer enthusiast since the age of 6. I have developed software for NASA used by recently launched Mars Science Laboratory, for biomedical research software, and now for residential healthcare software. My work falls squarely under what copyright law is intended to protect: "the Progress of Science and useful Arts."

Existing copyright law (the DMCA) already oversteps these bounds and eliminating the jailbreaking exception will only do so further. The Constitution only authorizes legislation "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." Since such writings and discoveries are already protected by copyright and patent law, making it wholly unhelpful to eliminate the freedom of individuals to use their personal possessions as they see fit.

Yet, unfortunately, if this DMCA exception expires, the same freedoms that have been restricted with intellectual property will be lost with physical property. If you buy a device, the company can digitally disable or limit it in a myriad of ways to give them an excuse to charge you extra. You would be made to pay extra money to share the device with another person using fingerprint scanners. You would be made to pay extra money to move the device out of a certain area using GPS. It would literally become illegal to have your device repaired without sending it to an approved facility. Circumventing any of these profit-making schemes would be illegal. This does not in any way protect the underlying technology or discoveries. It only serves to add new ways to inconvenience citizens into paying more money than they had anticipated for legitimately purchased products, increasing corporate control over individuals who buy their products.

Regardless, just as millions already do not obey the DMCA and use technology to undermine it, the same will happen in the case of jailbreaking. As an advocate of freedom and human advancement, I will be proud to support them, criminals in your eyes or not.

Regards,

Kent Crossin