

Kevin Lewis

I am writing to the Copyright office to request that they keep the Rooting and Jailbreaking of customer purchased Electronic Devices legal. Rooting and Jailbreaking should never be classified as breaking of the DMCA rules.

I am writing about comments 3, 4, and 5. I am opposed to classifying these under the DMCA.

I am currently in the process of getting my Information Technology degree and messing with computers and devices is my life. Tinkering is the way I learn and get excited about the new technology that is out and that includes both software and hardware. I build computers, compile linux distributions for fun and for work, and I root and install custom roms to every single phone I have ever owned.

I am in support of Jailbreaking of Consoles because consumers buy these products with their money and that makes them their property. Yes, those companies put license agreements into the EULA when you first turn them on, but the last I checked, it's in the constitution that I as a citizen and tax payer have the right to personally own and operate everything I buy on my property within legal bounds of the law. I should have the right to apply my own personal firmware onto my console device if I want. No entity should be able to say I cannot do that. Even if that means that the firmware could allow something illegal to be installed on said device. Not everyone who jailbreaks does so to break the law. Every law in American existence has been broken so what makes this any more special other than cutting into the profits and control of corporations looking for more power in the US.

I am in support of Jailbreaking of personal computer devices because as a consumer I should have the right to do with my hardware as I will. I have no problem making messing with the existing firmware illegal, but if I want to get rid of said firmware and install my own, then no one should be able to sue me for doing so. Nor should I be arrested and have my computers taken by a government or corporate entity for a civil suit like the court case between Sony and George Hotz.

I am in support for the ability of rooting and jailbreaking of smartphones and tablets because again it is my hardware that I purchased. In no way am I breaking my contract with ATT if I am rooting and installing a custom rom on my phone. It does not affect their network or their business. I have no problem giving up my warranty period if I root my phone but past that, they should not be able to bring a suit against me if I do something with my phone. And that includes the manufacturer and carrier.

I want to be able to root and jailbreak my devices because they are my devices that I paid money for. I am not renting or leasing these devices. When I am done with my 2 year contract, they do not ask for the phone back and I get a deposit back. No, I am the final owner of this product and I should be able to do whatever I want to my phone. If you take that right away from me, then they should be able to sue me for putting stickers on my phone or for throwing it against the wall and breaking it because at that point, what right do I have any more to do anything with the device. This rule stifles innovation and lets corporations take the right away from the citizen and no corporation

should ever have the right no matter what. In no way shape or form does me rooting my phone cause a loss of profits from any company.

And I will state this quite clearly. Any device I buy, I should be able to root, jailbreak, break, modify, and develop for without any intervention from the manufacturer or carrier or any other entity. The device was paid for by me and I have all rights to it no matter what. This DMCA on hardware needs to stop NOW. I am very unhappy that this is even an issue because I am 100% sure that I can mod my car, paint my house, change the seat on my bike, take apart my toaster and make it work better and so on and so forth. You will literally be stripping me of the right to do with my property as I please. This violates my right as a tax payer and citizen. You are taking how I learn about things away and that is a crime within itself. I do not own a console, but I am supporting that one as well so no legal precedent will ever be set for future hardware DMCA legal statutes. When I buy something, it's mine and that is that. No one can tell me how to use it unless it can cause physical harm to someone or is unsafe. Last time I checked, jailbreaking and rooting harms no one.