

To Whom it May Concern,

I am writing to support the jailbreaking exemption for smartphones, tablets, and personal computing devices (classes 5 and 4). With respect to smartphones (class 5), I have personally benefited from the work of TrevE, the Android developer who discovered the existence and security implications of the Carrier IQ software that was preinstalled without my knowledge by Sprint and HTC on my HTC Evo 4G smartphone. Without the ability to jailbreak smartphones, we may never have discovered that this software, which logged all user actions on my phone, even existed. However, because TrevE was able to do his research by jailbreaking his Evo, the public was able to put pressure on Sprint and HTC to remove this unwanted and potentially privacy-invading piece of software. Now that it has been removed, I do not need to worry about it being a security hole in my phone that could allow unauthorized applications to access my private information. The ability to legally jailbreak smartphones thus provides a direct benefit for the security and privacy of smartphone users' data.

With respect to tablets (class 5), I own a Viewsonic gTablet. This tablet was released with Android 2.2 (Froyo) with a painfully slow and difficult to use interface added on top. Despite its promises to support the gTablet with software updates, Viewsonic never released a ROM that upgraded the version of Android beyond 2.2. If it were not for the ability to jailbreak this device, I would not have been able to benefit from the work of the community of software developers that sprang up around the gTablet after Viewsonic essentially abandoned it. This community has since released upgraded software for the gTablet, including Android 2.3 (Gingerbread), 3.0 (Honeycomb), and is currently very close to releasing the most current version of Android (Ice Cream Sandwich). These software upgrades have greatly improved the functioning of my tablet, allowing it to have the interface upgrades which Google released with later versions of Android, as well as to run apps which would not have run well or at all under Android 2.2.

Finally, I support the proposal from the Software Freedom Law Center for an exemption to the DMCA anti-circumvention provisions for personal computing devices (class 4). I am greatly concerned about recent news from Microsoft that it will require vendors of ARM-based devices (such as future tablets) to lock down their hardware and software with UEFI secure boot in order to get a Windows Hardware Certification. I use Linux (as well as Windows) on my home computing devices, and this kind of restriction would make it difficult or even impossible to use both. Having the ability to jailbreak such devices (and thus bypass this kind of restriction) would allow me to use my hardware the way I want to use it, with the software I choose to run on it. Given my experiences with my smartphone and tablet, I do not have faith in a corporation to keep my data secure and to continue to support the products I purchase. Thus, I respectfully request that exemptions for smartphones, tablets, and personal computing devices in general be granted.

Stephen Hwang