

Note: Please submit a separate comment for each proposed class.

This is a Word document that allows users to type into the spaces below. The comment should be no more than one page in length (which may be single-spaced but should be in at least 12-point type). The italicized instructions on this template may be deleted.

Short Comment Regarding a Proposed Exemption Under 17 U.S.C. 1201

Item 1. Commenter Information

Identify the commenting party and, if desired, provide a means for others to contact the commenter or an authorized representative of the commenter by email and/or telephone. (Please keep in mind that any private, confidential, or personally identifiable information in this document will be accessible to the public.)

Juan Pablo Zapata Díaz

Item 2. Proposed Class Addressed

Proposed Class Addressed: Class 17: Jailbreaking – all-purpose mobile computing devices

Item 3. Statement Regarding Proposed Exemption

I support an exemption for jailbreaking mobile devices on the grounds that using this method can allow me, as a customer who paid fully for this product, a full access to functionalities that are otherwise unavailable in the operating system software of said device. There is a tendency in which owners of older mobile devices are influenced, through the use of new operating software with performance issues on said older hardware, to purchase new phones. Through the use of jailbreaking, users of these mobile devices can still receive the benefits of said operating system without losing important functionality.

At the same time, it can allow for additional functionalities that the manufacturer would otherwise would not add in existing software. There have been recent examples, streaming from other devices such as personal computers, using Nvidia hardware; and the use of mouse and keyboard to facilitate the use of the mobile devices for certain special population groups who have difficulty using the default input options.

On the other hand, without the user's full awareness, third party software can silently install unwanted software on the user's mobile device, jailbreaking would allow this unwanted software to be uninstalled without losing the wanted benefits of the software, increasing the usefulness and value of the mobile device for the user.

Finally, a jailbreaking exemption would prevent a possible discrimination done by the mobile device and application developers would have against users who have jailbreak for the aforementioned reasons. As of now, some applications do not function at all if they detect that the mobile device has been jailbroken, which can be evidenced with the Android television streaming application for Bright House Network if the user has Android Debug Bridhe (ADB), which is a useful developer tool. This is due to the mistaken perception that everyone who jailbreaks their mobile device does so because of an interest in piracy, when the reality is, those who jailbreak their mobile device do it on the grounds of using their purchased product without artificial impositions set by mobile device manufacturers and application developers.

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