

This comment is in support of jailbreaking for smartphones (3), tablets (3), consoles (5) and personal computing devices (4) in general.

I'm a developer and ardent user of iPhones, iPads and the PS3— all of which I would like to be able to jailbreak to extend their functionality.

First of all, I am using my iPhone with T-Mobile. Without the ability to jailbreak and unlock devices, consumer choice of phone companies is dramatically and unfairly limited. A data plan similar to what I have with T-Mobile would cost at least \$100 on AT&T, for example, whereas it only costs \$60 on T-Mobile.

Additionally, there are interesting apps that pop up occasionally that simply can't be installed from the Apple Store because Apple disapproves of them for one reason or another. Tethering apps, for example. Also, various user interface tweaks, such as customizing your unlock screen to suite your tastes, or even to be more secure than the Apple defaults.

The case for the iPad and tablets in general is exactly the same. For example, VLC (Video Lan Client) cannot be legally distributed in the Apple Store. It allows playback of multimedia in formats besides those controlled by Apple. Without the ability to jailbreak, you lose the ability to install an app like VLC and watch movies in the format you as the owner of the device prefer to, rather than the format that Apple approves.

I am in the process of developing an app for the iPad and iPhone. I strongly hope that Apple will accept it into their store legally, but if they won't and they impose restrictions on it being placed in their store, I feel very strongly that it should be legal for people to seek it out in another store that is more open-minded and unrestricted.

As for the PS3, Sony has been moving further and further away from the promises they made when they first sold the PS3 to me as a consumer. Do you realize that they have actually REMOVED features, such as the ability to boot Linux on the PS3 by applying firmware patches AFTER they sold me the box? So, despite my having paid for a box that used to be able to run Linux, if I want to run it now, I have to jailbreak the thing first.

Additionally, I know of cases where people have purchased their PS3's in different countries and then moved. New games and/or Blurays purchased in the new country won't run due to the irritating region locking that Sony has implemented. In this case, the person literally had to jailbreak their PS3 simply to play games purchased legally in their new home country.

Furthermore, Sony had absolutely no remedy for this situation. There was no method in place to allow Sony to change the region of the device, such that all of my friend's old and new games and movies would play on the same PS3. To me, this quite insane and irritating considering he was actually attempting to support Sony and entertainment studios both by buying into their platform. People like this should NOT be forced to do something illegal simply to play legally purchased games and movies.

And finally, it makes no sense for any general purpose computing device to lose the right to jailbreak it to do whatever you wish it to do. It's hardware that you have purchased and are the owner of. Why should you be beholden to some company to determine what you can do with your own personal property after they have sold it to you? It makes no sense to me at all that congress appears willing to accept the word of a few CEO's that their economic needs outweigh the personal freedoms of US citizens attempting to make fair use of their own personal property. Either companies distraught over fair use of copyright

need to figure out a way to make money on an open device or they simply shouldn't be selling the device at all.

To sum up, the entire DMCA system is *still* being used to punish legal users with much greater frequency than illegal users. And copyright extensions keep pushing what should be public domain works, inspiring creativity, remixing and the general economic health of the creative and art communities of the United States off into the future, so that instead we are being bound more and more tightly to a few corporations owning and dictating what can be produced by the individuals that are supposed to have their freedoms protected in this country.

Allowing jailbreaking of personal computing devices of all types, including smart phones and tablets and anything else that people use for computing is at least a step in the right direction and away from a complete corporate lock-down of creativity in this country.

Thanks in advance for your timely actions and assistance in rectifying the wrongs that DMCA has wrought in this matter.

Sincerely,
Eric Taylor.