

- Which jailbreaking exemption are you supporting—smartphones/tablets, video game consoles, or both?
- What's your background (i.e., are you a developer, hobbyist, academic, independent researcher, user, etc.)?
- What device do you want to ensure you have the legal authority to jailbreak?
- Please explain why you want to jailbreak this device. What limitations do you face if you aren't able to jailbreak it? Is there software you couldn't run, computing capabilities you wouldn't have, cool things you couldn't do, etc.?
- If you're a developer, did an online application store or console manufacturer reject your app or game? If so, what reasons did they give?
- Is there anything else you want to tell the Copyright Office?

Commentor's Name: **Jordan West**

Class of Works: **5**

I am writing to you today to lobby for the support of the exemption made in the Digital Millennium Copyright Act (DMCA), section 1201, that states that jailbreaking an Apple iPhone or Android device does not constitute an illegal action if the process used to do so was not carried out with the intention to circumvent the copyright. The exemption is soon to expire, but during the time that it has been in place a great many positive results have occurred. As a user of an iPhone 4s, and previously an iPhone 3GS, I have come to enjoy the many added bonuses of a jailbroken iPhone device. One of the major advantages of having a jailbroken device is the plethora of additional options available to enhance the user's use of the jailbroken device, an iPhone in my case.

The ability to legally create jailbreaks for such devices has allowed many innovators to come forth and offer up their unique talents in creating not only new ways to use the iPhones and even iPad, along with other tablet devices, but it has also helped in the better securing of the devices from cyber-attacks and theft of identity. Many who have contributed to the creation of successful jailbreaks have helped to create an awareness of security threats and issues found in the operating systems of the devices, and through this, Apple, and those responsible for creating other smartphones and handheld computer tablets, have been able to create more stable and secure versions of the operating systems. In addition to this, the ability to jailbreak devices has even helped to fix issues found in Apple's software that decreases the functionality of its devices. An example of this is found in the decreased battery life that iPhone 4S users have seen since they purchased the devices. Older iPhone, iPod, and iPad users who were using the pre iOS 5 software did not have such an issue. Apple attempted to fix the issue through the release of iOS 5.0.1, but it still failed to fix all the issues. It was only through the creative abilities of the jailbreaking community that a true fix was found and is offered to those who have a jailbroken device. As an avid iPhone user and user of a jailbroken device, I believe that it is only right to further promote innovation and internet/digital security, and I believe that section 1201 of the DMCA should be renewed and even expanded to include tablet PCs, including but not limited to the iPad, Android devices, etc. Please join me in supporting the renewal of this Act.