

Jailbreaking a phone, tablet, gaming device or other personal computing device should not be seen as a violation of copyright. By asserting that jail breaking a device is breaking copyright is entangling the work (which has been copyrighted) with the medium, and asserting exclusive control over both.

Take a book. The content of the book may be copyrighted and under the control of the author; the book itself is not. I am free to do with the book as I so choose. If I wish to burn the book in protest of the author, as owner of the book I am free to do so. If I wish to use the book as a booster seat to prop up my child at a table, as owner of the book I am free to do so. If I wish to use the pages of the book as scratch paper for my child to draw on, I am free to do so. The copyright owners may not wish to see the book be used in such a manner, but their copyright doesn't extend to control how the user must use the book.

Those in favor of making jail breaking devices as a violation of copyright wish to extend the control of copyright beyond the content and into the use of the device. At the point of sale, that control ends and must end. Extending said control beyond the point of sale erodes property rights and destroys the meaning of "owning."