

To Whom It May Concern,

February 9, 2012

I am an IT professional from the Northeastern region of Ohio. In my professional life I work with computers, software, and network devices. In my personal life I also work with these items along with playing video games and tinkering with devices, whether they are computers, cellular phones, video game consoles, or other.

The purpose of this letter is to express my voice in regards to the "Exemption to Prohibition on Circumvention of Copyright Protection System for Access Control Technologies". I feel that the ability to gain control of a device at its lowest level is a wonderful freedom that shouldn't be taken for granted, nor should it be outlawed, regardless of "Copyrights".

Depending on the device, this process has been called "Jailbreaking" or "Rooting". Despite the imagery these terms may conjure, it isn't a "Horrible" thing; it allows people who are enthusiastic about their gadgets to update them and improve them as they see fit. It allows them to innovate; to create their own programs and device functions and share them with like-minded people. It allows them to make their devices more secure if they feel the stock software or configuration isn't safe enough. And most of all, it allows them to pursue happiness in a manner not unlike that of a "Saturday Morning mechanic" who is installing a new, after-market stereo into his/her automobile.

When working with a computer, gaining "administrative" or "root" access is necessary to make any low-level changes or to install hardware or software. These days, cellular phones, game consoles, and tablets are "computers". All "Jailbreaking" or "Rooting" does is grant the same "administrative" access to the device that one would need when working with a computer. Yes, many of these devices have manufacturer-approved "App stores" which allow for programs that have been "Approved" by the manufacturer to run, but I am not allowed to make changes to the lowest-level of the operating system, which prevents me from accessing many "Basic" troubleshooting functionality and commands along with blocking me from installing any programs that I or fellow hobbyists would create. This also stifles innovation and creativity.

I also feel it necessary to mention that people like Steve Wozniak, Steve Jobs, Bill Gates, and Paul Allen were technology hobbyists who would tinker and develop their own programs and devices. If they (and many others over the last fifty years) weren't able to do what they did, there would be no Apple, Microsoft, Google, or countless other companies who have created so many programs and devices that have made our lives so much better and more enjoyable.

With all of this in mind, I suggest that the current view that gaining low-level access to cellular phones be allowed and not be a violation of the DMCA. I also suggest that it should be extended to include tablet computers, gaming consoles, and other entertainment devices.

Thank you very much for your time and consideration.

Sincerely,

Paul Newell