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Class or Work: Personal Electronic Devices : # 4

The idea that a consumer purchases (provides payment for a product) that is electronic thereby transfers ownership of that device to the consumer. To state that the manufacturer can claim that the consumer may not use the device with no modifications is contrary to basic law. The DCMA exemption is still needed. If a customer buys an automobile they are allowed to change out the tires, doors, seats, stereo etc. But if a customer buys an electronic device the DCMA without the exemption would not allow that same basic customization to occur.

The ability to root a device and install custom (and often times much more optimized and better tested code) is at the heart of the electronic and consumer movement. A company gives up it's rights to the device after "SELLING" that device (these are not leased!) to a consumer. Whether they want to void the warranty is completely up to them but to not allow a consumer to fix bugs in the device is absurd. Electronic devices are being rushed to market with flaws, code is not optimized and sometimes bloatware is added to these devices which slow the device, restrict its usefulness and further devalue the device.

A core tenant of US law is the reasonable man doctrine which clearly sides with the consumer that a REASONABLE man should be able to modify the item they have purchased however they want as long as it does not harm the general public or is used for illegal activities.

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