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Section 1201 of the Digital Millennium Copyright Act (DMCA)

Exemption 5- Phones and Tablets: “Computer programs that enable wireless telephone handsets (‘smartphones’) and tablets to execute lawfully obtained software applications, where circumvention is undertaken for the purpose of enabling interoperability of such applications with computer programs on the handset or tablet.”

I currently own a smartphone. I purchased the smartphone in good faith, believing that updates to the OS would occur in regular intervals and be released to my handset. As it turned out, the manufacturer released one update and declared my device to have reached it’s “end of life”. Since my phone was EOLed, I was left with very few options when it turned out that onboard memory was totally insufficient for making full use of the device. This was less than 6 months into my 2 year contract. Thanks to the community and the legal allowance to circumvent the manufacturer, I am running the latest OS along with a software modification that tripled my onboard memory. My contract is up next month and my phone is not only still usable but as good as new. While I’m looking forward to upgrading to a newer device, I am grateful that I was not and will not be forced to do so by obsolete software.

To summarize, without the ability to “jailbreak” my phone, it would have been declared obsolete and been practically useless after less than 6 months. Perfectly good hardware was crippled by the manufacturer’s unwillingness to simply update the software as promised.