

DeShoran Smith Sr.
BPM Architect /Developer
DarkSide Solutions.NET LLC
95 West Northfield Road
Livingston NJ 07039

To whom it may concern:

My objection to preventing the user from jail breaking Android devices is very simple. Similar to back in the Windows CE days, carriers are prematurely outdating devices and expecting users to upgrade perfectly working devices every 2 years. Often this requires a cost of \$500 per upgrade, simply to keep users in new service agreements. Many of these devices can easily be upgraded to the newest version of the OS and would work just as well if not better once patched.

As a savvy user and developer if I want to work on a new feature for an application and test it on my device as opposed to testing virtually I should have the right to upgrade the OS to anything I choose similar to what is currently available in the PC market. The carriers are not leasing these devices – they are selling them and they have no right to prevent users from using them as they see fit.

In markets where the latest upgrade is guaranteed like Apples market – there is a still room to say I should be able to use the device as a see fit. There devices should all fall under the category of computer hardware which by its nature is configurable and upgradeable. Users are aware and are responsible for any damage done to the device by performing a bad patch or flash and they should accept that.

I have a similar concern about the ability to run unsigned code on such devices. The user assumes the risk and the manufacturer should not have right to day what we can or cannot do with the device after the initial purchase other than voiding the warranty where necessary.

Cordially,

DeShoran Smith Sr.