Name:

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Class of Works Being Responded-To:

I respectfully submit the following reply comment in support of Comment #3 by The Wireless Alliance and Robert Pinkerton, represented by Jennifer Granick, Stanford Center for Internet and Society Cyberlaw Clinic, which was submitted in connection with the Copyright Offices' October 3, 2005 Notice of Inquiry. The commenting parties proposed an exemption from the Section 1202(a)(1) prohibition on the circumvention of technological measures that control access to a copyrighted work for the following class of works:

- Computer programs that operate wireless telecommunications handsets. (Mobile firmware)

Summary of the argument:

Cingular imposes a number restrictions that make overseas use infeasible. Unlocking my phone thus enabled me to use it during overseas travel.

Factual support for the argument:

I have been a Cingular customer since April, 2005, and my phone (Siemens SX66) was locked, until I found a way to remove it.

Because I travel often, I needed to unlock my phone to use different SIM cards in different countries. I do this for several reasons: (1) Cingular has not initiated my international roaming (they require a deposit, a copy of my power bill, etc.), (2) Cingular roaming prices are ridiculously high, and (3) using local GSM cards allows me to be called / dial out at low prices.

Despite these considerations, Cingular would not unlock my device. Instead, to unlock my phone for overseas use, I searched for unlock codes on the internet and found the following website: http://home.comcast.net/~sx66-blueangel/. This enabled me to use my phone overseas.