White House: unlocking of cellphones should be legal

(Reuters) - Cellphone users should be allowed to switch their devices to any mobile carrier, the White House said on Monday in response to an online petition against the recent banning of the practice.

More than 100,000 people signed the petition protesting the ban on switching imposed by the Library of Congress, which took effect in January. At issue is whether cellphone buyers, who get new devices at a heavily subsidized price in return for committing to long-term contracts, should be able to take their gadgets with them when they change carriers.

Many in the telecoms industry argue that cellphones should be "locked" - or prevented from moving freely across networks - because of the massive subsidies that carriers provide, effectively putting the devices in the hands of more people.

The petition argued that preventing "unlocking" reduces consumer choice and resale value of phones, which can cost hundreds of dollars without subsidies from carriers like AT&T Inc, Verizon Wireless and Sprint.

"The White House agrees with the 114,000+ of you who believe that consumers should be able to unlock their cell phones without risking criminal or other penalties," R. David Edelman, a senior advisor for Internet, Innovation, & Privacy to the Obama administration, wrote in the White House's response.

"This is particularly important for secondhand or other mobile devices that you might buy or receive as a gift, and want to activate on the wireless network that meets your needs - even if it isn't the one on which the device was first activated. All consumers deserve that flexibility."

The Library of Congress, which among other things is responsible for setting rules and deciding on exemptions related to the Digital Millennium Copyright Act, said on Monday the issue would benefit from further debate and that its intention was not to supplant public policy discussion.

The Library of Congress got involved late last year during a rulemaking session conducted by the Register of Copyrights, which advises the organization. Unidentified participants in the rulemaking process, a technical, legal proceeding that allows members of the public to request exemptions to the copyright act, raised the issue then.

The Library of Congress subsequently decided that cellphones should no longer be exempted from the relevant section of copyright law, triggering the January ban on "unlocking."

(Reporting by Edwin Chan in San Francisco; Editing by Tim Dobbyn)

Source URL (retrieved on *12/12/2013 - 5:33pm*):
http://www.ecnmag.com/news/2013/03/white-house-unlocking-cellphones-should-be-legal?qt-recent_content=0