

## Abstract

A study on the circumvention of, and exceptions to, iPhone's firmware locks

Lee, Dae-Hee

Apple began selling iPhones, smartphones increasingly prevalent in our life, in July 2007 in the United States. The characteristics of iPhones like other smartphones are that users can download innovative applications from the App Store. Until the early 2011, around 350,000 applications were available in the App Store. The problem users face is that they should buy and download applications only from the App Store, i.e. applications approved by Apple. Some users began jailbreaking iPhone which allows them to download third party application not approved by Apple. When jailbreaking, users need to circumvent some technological measures to control access to the work.

This paper deals with some issues arising in the jailbreaking process. In particular, it analyzes and introduces the rulemaking process in the US which provides an exception to the circumvention of technological measures applied in the iPhone. In addition to the rulemaking process, this paper analyzes an important issue in the aftermarket products that may be stifled by misapplying the legislations on technological measures. Finally, this paper suggests that Korea allow appropriate exceptions to the access control through the rulemaking process, and that Korea needs to apply the legislations on technological measures so as not to stifling the aftermarket products.

Keywords : Copyright, iPhone, Smartphone, Firmware lock, Technological measures, Access control, Fair use, Rulemaking, Aftermarket product, Reverse engineering