

Thanks for taking part in the DefectivebyDesign.org iPhone Challenge.

When we first wrote about the iPhone 3G, we listed 5 reasons to avoid it.

1. iPhone completely blocks free software. Developers must pay a tax to Apple, who becomes the sole authority over what can and can't be on everyone's phones.
2. iPhone endorses and supports Digital Restrictions Management (DRM) technology.
3. iPhone exposes your whereabouts and provides ways for others to track you without your knowledge.
4. iPhone won't play patent-and-DRM-free formats like Ogg Vorbis and Theora.
5. iPhone is not the only option. There are better alternatives on the horizon that respect your freedom, don't spy on you, play free media formats, and let you use free software – like the FreeRunner.

The feedback we've received has been incredible, both from supporters and from iPhone owners, angry at us for speaking out against the iPhone.

Enter the iPhone challenge.

We'd like you to go to your local Apple Store, book a space at the Genius Bar and ask them some questions. Simple.

When you're done, give the Genius a rating from 0 to 160, based on the accuracy of information they give you. If they're honest and up front about Apple's deceit, give them a higher score. If they toe the party line, give them a lower score.

What is free software?

Free software is software that respects our freedom.

To use free software is to make a political and ethical choice asserting our rights to learn and to share what we learn with others.

Usually software we buy denies us these rights, because we don't actually buy ownership of the software – instead, we receive a license to use the software, and this license binds us with many fine-print rules about what we can and can't do. If we make a copy and give it to a friend, if we try to figure out how the program works, if we put a copy on more than one of our own computers in our own home, we could if caught be fined or put in jail. That's what's in the fine print. What if there were a worldwide group of talented ethical programmers voluntarily committed to the idea of writing and sharing software with each other and with anyone else who agreed to share alike?

What if anyone could be a part of and benefit from this community even without knowing anything about programming?

We wouldn't have to worry about getting caught copying a useful program for our friends—because we wouldn't be doing anything wrong.

More information: <http://www.gnu.org/philosophy/free-sw.html>

Thoughts on Music

In February 2007, Steve Jobs published an article on Apple.com called '*Thoughts on Music*', in which he outlined his desires to eliminate DRM.

Eighteen months later, and iTunes is still carrying mostly DRM music. In fact, since Steve Jobs's statement, Amazon, Rhapsody and Napster have all come out with DRM-free services, while Apple, the market leader, continues to lag behind.

Steven Says...

...it is useful to remember that all iPods play music that is free of any DRM and encoded in “open” licensable formats such as MP3 and AAC.

What about truly open formats, such as Ogg Vorbis and Ogg Theora, Steve?

(On FairPlay DRM) ...obtaining such rights from the music companies was unprecedented at the time, and even today is unmatched by most other digital music services.

Maybe at the time, but times have changed. Now, Apple is lagging behind whilst Amazon, Rhapsody and Napster continue to innovate in this space, selling music at cheaper prices that can be played on your own devices, and still Apple refuses to budge?

Imagine a world where every online store sells DRM-free music encoded in open licensable formats. In such a world, any player can play music purchased from any store, and any store can sell music which is playable on all players. This is clearly the best alternative for consumers, and Apple would embrace it in a heartbeat.

Amazon launched its MP3 service on September 25th 2007. That's one hell of a heartbeat, Steve.

More information: <http://www.apple.com/hotnews/thoughtsonmusic/>

The facts speak for themselves.

- Apple continues to push for DRM.
- Apple is leveraging its position as market leader in order to sell more iPods and iPhones.
- Amazon, Napster and Rhapsody are all providing DRM-free music that plays on Apple devices today.
- Steve Jobs is the largest individual shareholder of Disney, who have record labels, TV networks and movies to their name. All DRM.

So, why isn't more being done about this? Well, for as long as we let it, Apple can rest on its laurels, knowing that anytime anybody questions its actions, Jobs can simply blame other people, and other companies.

Apple's marketing machine is trying to justify DRM by treating you, the user, as a threat. They claim that one rogue application on your iPhone could possibly bring the phone network to its knees.

AT&T, and many other providers around the world, run on the GSM standard – the one good thing about the GSM standard is that you can literally pick your phone. Virtually any GSM handset will work on any network, including those from OpenMoko, Nokia, Palm, Microsoft and RIM, and all of those devices allow users to install software from a variety of sources. The kinds of restrictions Apple has built into the iPhone are unique amongst smartphones.

Once again, the real reason behind DRM on the iPhone is pure, old fashioned *greed*. Additionally, by refusing to allow devices to be sold to run on any network, Apple takes a hefty fee from the phone companies, and the reason that the iPhone is more expensive than other phones on these networks is simple – Apple takes a chunk out of your bill, too.

The questions

1. Why do all developers have to submit their applications to Apple before they can be loaded onto an iPhone?

Most smartphones, including those by OpenMoko, Nokia, RIM, Palm and even Microsoft, allow applications to come from a variety of sources, including free software developers. Free "as in freedom" software development requires that users and developers be able to share and modify the source code for programs they use. iPhone users are not permitted by Apple to share or load modified versions of programs distributed through the App Store – even when a program's developer wants users to be able to do this! Apple markets itself as empowering, alternative technology – How does Apple plan to support free software development?

- (a) Did the Genius understand the issue of free software?
 - (b) Did they admit that other devices allow you to install applications from a variety of sources?
2. Why does iTunes still contain so much DRM-laden music?

Services like Amazon, eMusic, Napster, Rhapsody, Play.com and 7digital are all selling music without DRM. A typical response to this might be that Apple has no option to sell media without DRM, but this is simply untrue. Jobs is the majority shareholder at Disney, and he could insist that its films be DRM-free. Apple should be leading the way to promote DRM-free music, but instead is lagging behind. What is Apple doing to fix this? If it really is the RIAA's fault, can you tell me specifically what the RIAA said to Jobs when he asked for the ability to sell DRM-free music?

- (a) Did the Genius understand that Amazon, Rhapsody and Napster, along with many others are supporting DRM free music from the very same labels and artists that Apple is selling, laden with Digital Restrictions Management?
- (b) Did the Genius understand that DRM is not about rights, but about *restrictions*? Restricting the people who buy the music and videos from playing them on a variety of devices, like CDs and DVDs.
- (c) Did the Genius understand that Steve Jobs' role at Disney could be used to leverage Disney going DRM-free?

3. The iPhone 3G has GPS support. How can users be sure that the GPS cannot be used to track their position, without their permission?

When the only thing preventing the GPS from being used is software, and the software in question is known only to Apple, why should users of the iPhone trust Apple?

- (a) Did the Genius understand why GPS in a device is an issue?
 - (b) Did the Genius understand why the fact that the iPhone is proprietary is an issue here?
 - (c) Did the Genius express any kind of apology for this behavior?
4. In 'Thoughts on Music', Steve Jobs said "it is useful to remember that all iPods play music that is free of any DRM and encoded in 'open' licensable formats such as MP3 and AAC".

If Steve really wants to see free and open formats, why doesn't the iPhone play Ogg Vorbis, Ogg Theora video and FLAC? These formats require no licensing costs, and are not encumbered by patents. How does Apple plan to support these formats in future?

- (a) Did the Genius understand the issue of free formats, such as Ogg Vorbis?
 - i. Did the Genius give any indication as to Apple's lack of support for these formats?
5. Last question. Why can the iPhone 3G only be activated by Apple and AT&T?

In the United States, the Register of Copyrights has ruled that consumers have the right to unlock their phones and switch to a different carrier. How does Apple plan to remedy this discrepancy?

- (a) Did the Genius offer any advice or suggestions in unlocking your iPhone and moving it to another provider?
 - (b) Did the Genius admit that Apple is getting kickbacks from your phone bill in exchange for locking you to a single provider?
 - (c) Did the Genius offer any timeframe for Apple fixing this, despite the Register of Copyrights ruling?

Final score: _____ out of 160

So, you're done.

Be sure to give the Genius their score. Take down any and all information they give you about themselves, and send it to us.

We're going to do a write up on our findings, as well as send prizes to the best Apple Geniuses, and information packs to some of the worst.

A few tips for staying safe at the Apple store.

- Remember that malls are considered private property. If you're asked to leave by mall security, act politely and leave as soon as possible.
- Apple may attempt to avoid your questions. Do not become agitated or aggressive.
- Print out extra copies of this information pack, and give them to others waiting in line at the Genius bar when you're done.
- Invite your friends and family to sign up as well. The more people that turn up, the better.
- At all times, remember, you represent our campaign – if you act well, it reflects well on us. If you act badly, it reflects badly on us too.
- Above all, have fun, and be sure to write to us - info@defectivebydesign.org and send us links to any photos you take.