170785 - Developing an iPhone program on a personal computer contrary to the agreement with the Apple company

the question

I am a professional software developer and I have decided, if Allah wills, to develop a program on the iPhone which is manufactured by the Apple Company. One of the requirements for developing it is the purchase of the operating system that belongs to the Apple Company and is called Mac or OSM, in order to be able to develop the program through it. There is no other real way except by using the Mac or OSM operating system. This system can be bought from Apple on a CD for the price of thirty dollars, but Apple stipulates in its licence user agreement that this CD and this system must be installed on a computer manufactured by Apple only and according to this agreement the user cannot legally install the system on any computer manufactured by any company other than Apple. I have summarised for you the relevant part of the agreement in order to make this condition clear.

“2. Permitted License Uses and Restrictions.

A. This License allows you to install and use one copy of the Apple Software on a single Apple-labeled computer at a time. This License does not allow the Apple Software to exist on more than one computer at a time, and you may not make the Apple Software available over a network where it could be used by multiple computers at the same time.”

The problem now is that I cannot afford even the cheapest computer manufactured by Apple in order to install the system on it and start to learn how to make programs on it and then develop an application and sell it for the iPhone. I am able, by Allah’s grace, to install the system on my personal computer for the purpose of learning only, until I am able to buy an Apple computer. Is it permissible for me to do that for the purpose of learning only?

Is it permissible for me to install the system on my personal computer and ignore this condition on the basis that the CD is my property in the fullest sense and I have paid its price, so I can dispose of it however I want, as you stated in a fatwa concerning Jailbreak for iPhone, where you stated that its owner had taken possession of it and was within his rights to do whatever he wanted with it?

Please note that I actually intend to buy (the new computer) when I have enough money to do so or when I sell the applications, in sha Allah. May Allah reward you with good.

Detailed answer

Praise be to Allah.

It is permissible for the one who owns the operating system to put it on any computer he wants, and he does not have to adhere to the conditions, because the condition is contrary to the contract of sale and purchase. The valid contract of purchase comprises the transfer of the sold item to the purchaser and the transfer of the price to the seller. Once the purchaser has taken possession of the sold item, it is permissible for him to dispose of it by altering, changing, developing and putting it in any place he wants, because that is a permissible way of disposing of his property.

And Allah knows best.