

I'm the author of over thirty fiction books and as time goes on I am increasingly exhausted by the constant threat to my livelihood. Copyright protections for content creators have steadily eroded with little help from the government, despite our frequent pleas for protection. Copyright seems to mean less and less these days, as evidenced by the current debate of "First Sale" as it applies to e-books.

Librarians and e-book consumers argue that the copyright ruling that prevents duplication, publication and distribution of copyrighted content interferes with their lending practices. In fact, they have limited rights already in that area. They can loan a loaded e-reader out. Or ebooks purchased by an individual can be shared with a limited number of devices.

Unlimited loaning/sharing on e-books would actually be granting them far more loaning rights than they currently have with hard copy books. Postage and normal wear and tear on a hard copy is a natural limitation with the physical book. A hardback/paperback book wears out, and a new copy must be purchased to continue to lend it. Ebooks require more protection because of the virtual infinite lending it would enable. The only ones who stand profit under limitless lending practices are mammoth companies such as Amazon and libraries. Authors and publishers would suffer financially.

If libraries have unlimited loaning privileges, there would be no longterm financial incentive for authors and publishers to sell ebooks to them at all. Libraries can track whether a book hasn't been returned. They have no way of knowing if an ebook has been pirated by a reader and shared widely. Making multiple unauthorized copies of a digital work in the course of transmitting it to a party who didn't pay for the license shouldn't be legal. If it does become legal, watch for the rise in the cost of ebooks to rise sharply, as the potential for abuse drives up the financial risk for the author and publisher. What began as a convenience (ebooks) will become a huge publishing risk, and consumers would bear the cost.

This country has to begin getting serious about protecting its creative content. We are creating a culture of people who believe just because copying and piracy is easy and anonymous that it is somehow their right. This attitude casts a pall over the creative community and works as a disincentive to innovation and creativity.

Respectfully,
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