

Thank you for asking for public comments on digital first sale. Many times we see laws being made by people who don't really understand the things they are making laws about and being pushed by lobbyist who do not have the greater interest of the US in mind.

As a librarian, first sale is really of interest to us, digital or otherwise. Eliminating first sale becomes a step in getting rid of public institutions such as libraries which provide great services to public who may not otherwise have access to book, ebooks, and other technology. We already contend with small budgets and draconian limitations put on eBooks by publishers.

My opinion will probably be different than most of my colleagues. I understand the fears of copying technology-wise and the ease of doing so.

I feel that you should own the eBook you buy. With current standards and DRM you are technically only renting, though the language when you're purchasing the book never says that. It always says "own", until that lender decides that they don't want you to have it anymore. Can Amazon come into my house and take away the physical books that I bought from them? No. I own those books. However, if a publisher decides later on that they don't want that eBook out there or want to remove some features, Amazon can currently take that book away from me.

DRM on eBooks infringes on my rights as an owner. I can't read my book on any device I want. I can't share it with a friend, like I can a paper book. I'd hate to tell copyright holders that it's fairly easy to make copies of paper books too. It's more costly to the copier, but it still can be done.

When I purchase an item, digital or physical. I have an expectation that I own it and now can do what I want with it. If I want to sell it, I should be able to. I understand the fear of lost sales, but when you look at that data, secondary purchasing, even libraries do not hurt publishers bottom line. Even movie pirating doesn't hurt the movie and TV sectors. Studies have shown that people who borrow books from the libraries actually buy more books.

<http://www.technologytell.com/gadgets/132675/study-suggests-piracy-can-be-reduced-by-increasing-legal-streaming/>

Publishers already limit how many times we can check out an eBook to users stating the file wears out after a while... which is absurd, on top of already charging more. If they truly want to "rent" to people. Tell people or give them that option while charging a lower price. They'd see more sales that way. The movie industry already figured that out.

Just don't sell it to me, charge me just as much as the paperback (which costs more to produce and disseminate), and then try to take away any rights I would have with that book, including being able to read it.

Technology isn't something to be scared of, it's something we have to grow with. By putting draconian limitations and high prices, we're prevent people from using technology. What needs to happen is people need to find out solutions to combat what is already fairly low problems with copying and selling eBooks and other digital items instead of punishing the people who are following the law.

Publishers could set up marketplaces for digital used items, giving people a way to sell the item that they don't want to keep and giving others a way to purchase a cheaper version. The problem is that this will all cost money and companies are notoriously short sighted.

The contents in the digital book are no different than their regular versions, so why should they be subject to different laws?

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Samantha A Evangelho  
Library Technology Specialist  
Boulder City Library  
[tech@bclibrary.org](mailto:tech@bclibrary.org)