

Frankly, the idea of First Sale being applied to digital books scares me to death.

Let's step back a minute. Look at physical books, which is where the argument comes from. "I've always been able to give away, sell, or lend my physical books, why can't I do the same with my digital books?"

Did you have 10,000 copies of the same book? I frankly doubt it. You probably had one or two, and in that case, why not lend or sell it?

But in the digital age, you aren't just sharing, lending, or selling one copy. Multiply that times however many people decide to visit that link. 10,000? More? Entirely possible. I've seen it happen to my own books at pirate sites – where they gleefully announce that THIS book has been downloaded 17,257 times!

The doctrine of First Sale works fine in a used bookstore. When a book is sold in those retail establishments – an author doesn't get paid a dime. Not a cent. But escalate that in the digital world and not only will we not get paid anything for being the "content creator" but it will adversely affect our income.

There are two groups here: the consumer and the "content creator". Please don't forget the latter. If the doctrine of Fair Use is applied to digital books, you will, in effect, be legitimizing piracy.

Sincerely,

Karen Ranney