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# Neil Gaiman Says Internet Piracy is “People Lending Books”

**Keywords**

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# Neil Gaiman Says Internet Piracy is “People Lending Books”

by Mark Tratos

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Every industry has its leaders and trendsetters. Computer technology has Steve Jobs. Cars have Akio Toyoda. Hope has Barack Obama. In the world of comic books, the arguable leader is Neil Gaiman. Gaiman has created iconic books like *Sandman*, *Stardust*, *Eternals*, and *The Tragical Comedy or Comical Tragedy of Mr. Punch*. When you become a larger than life figure in any industry, as Gaiman has, the world tends to pay attention just a little more to what you say, and in recent years Gaiman has said a lot about intellectual property and internet privacy. So what did Mr. Gaiman say recently? In a nutshell, he said that internet piracy is just “people lending books.” Cue copyright holder outrage.

So how did Gaiman come to such an assessment? It is not as ludicrous as one might think. It revolves around the idea that internet piracy spurs interest in new or unknown works. For example, last year someone posted digital scans of the Jeff Parker/Steve Lieber comic book *Underground* on a 4chan web board. Lieber discovered the posting, and the individual responsible for the posted images claimed that they had put the images online simply to spike interest in the comic book. Even though the poster offered to remove the scanned images, Lieber decided to “one-up” him and put every issue of *Underground* on-line for FREE. Just one day after the posting, the sales of *Underground* skyrocketed. So what started as “piracy” led to success for Mr. Lieber. This is the idea behind Gaiman’s comments.

Gaiman recently conducted an interview with Open Rights Group in which he explained his evolving beliefs on copyright infringement and internet piracy. He used to look down on those who pirated his works, but recent experiences have changed his way of thinking. He realized, much as Mr. Lieber did, that in the places where he was being pirated, he saw increased sales of his works. Gaiman soon started to conduct experiments with his publisher where they would put one of Gaiman’s novels or comic books online for free and then see what happened to the sales of that work.

To Gaiman’s surprise, sales increased. This led to Gaiman’s proclamation that internet piracy is “people lending books.”

I have not been able to see the entire interview with Mr. Gaiman (only a snippet is online), but there is one big problem with Mr. Gaiman’s viewpoint. When you “lend,” you give away your copy of the work to someone else—that is the basic premise upon which the First Sale Doctrine functions. Any time digital scans or copies are “pirated” over the internet, the original is still in the possession of the pirate. Nothing has been “lent.” Instead, something has been copied and a right has been violated. Mr. Lieber’s rights were violated, just as Mr. Gaiman’s were.

The real issue here, and the fun part of copyright law, is when, where, and how a copyright owner chooses to enforce their copyright. Gaiman and Lieber chose not to enforce their rights and they benefited. There are several other instances, however, where rights holders would want to prevent the digital “lending” of their books and enforce their copyrights. In fact, Gaiman is notoriously involved in a copyright dispute with another author, where Gaiman seems quite upset that his copyrights have been violated. While some people may believe Gaiman is being hypocritical, this really just an example of an author effectively using copyright.

In short, it comes down to what the author believes is best for their works. Gaiman and Lieber “lend” their comics, while Marvel and DC Comics have their works “stolen.” *Underground* bands “share” their works on bit torrent, but Sony and Capitol Records have their works “pirated.” So while Gaiman’s view might be seen as naïve and hypocritical, it does encourage authors to be more active in the use of their copyrights. Enforce your rights when you feel it is necessary (as it often is) and then let the internet take over when you feel no true harm is being done. In the meantime, be careful about what you “lend” to others on the internet; authors still have rights.

