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Subject: Re: I'm not really a .....

Posted by [Wayne Parham](#) on Fri, 30 Sep 2005 02:45:35 GMT

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When you buy a CD, you own the CD. The copyright owner has no right to reclaim that particular CD, but he does have a right to restrict your use of it. The rights of the owner of the CD are pretty clear - He can play it for personal enjoyment. He can't use it for commercial use. It doesn't matter if the owner of the CD thinks the work is underutilized or not, the copyright owner is who ultimately has the right to decide whether it should be played publically. So if the copyright owner decided he wanted the work to be silenced, he has that right. The owner of the CD would still have the right to use the CD privately, but he never had the right to promote it publically, so no "rights" would have been rescinded. "Fair Use" is a different issue. It has nothing to do with selling a single copy of a work that was purchased, like transferring title of a used car. "Fair Use" is the ability to talk about a copyrighted work, to maybe even quote parts of it or make a likeness of a copyrighted work, such as a parody.

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