

Independent Study Title	: The Legal Problem on First-Sale Doctrine
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ABSTRACT

Copyright is one of the intellectual properties protected by law. The law aims to protect the work that the inventor tries his best to invent with his effort, intelligence, and ability from using without the authority and caused the damage to the inventor. It also aims to protect economic benefit that inventor should gain from his work. This will encourage the inventor to invent the valued work in the future. If there is no protection for work, there will be fewer inventors who put their effort to invent the valued work for public especially the work that needs the investment in terms of capital and intelligence, such as computer program development work, etc. The inventor must be protected by law for the channel to earn the benefit from capital and intelligence and also get rate of return in appropriate amount compared with his effort on work additional from the capital.

Copyright Act 1994 determines the provisions of the protection of right for copyright owner in Section 15 that copyright owner has exclusive right to reproduce or modify, to perform to public, to rent out the original or copy of computer program, audiovisual work, movie and sound recording, to give benefit from copyright to others, and permit others to exercise the right on copyright work. According to Section 27 to Section 31 of Copyright Act 1994, many cases have been determined as the actions that are against the right of copyright owner, which is claimed as infringement. However, the right that the copyright owner has is not unlimited because if it is determined that the copyright owner can use their right to gain the benefit from his own copyright work unlimited, public will not gain any benefit from that work or get only few benefit which is not appropriate to the right that the law determine to reward the copyright

owner. In addition, copyright law does not occur among legal vacuum but it occurs among many another laws. So, copyright law should have some relation of other laws which relates to copyright work.

From this reason, there are some questions about the limitation of the right of copyright owner. When the copyright owner has exercised his right, the question is where the end of the right is. In this research, it discuss about the problems related to the case that the copyright owner exercises his right to produce, do, or set up the production of work combined with copyright work, then what is the limitation of the right of the copyright owner on that work under the copyright law by comparing with some parts of United States and Europe law respectively especially in First-sale doctrine of US copyright Act.

