

# Judge extends 'opt-out' deadline in Google book suit

April 28 2009

---



A man browses through books at a library in California. A US judge on Tuesday extended for four months the deadline for authors to opt out of a settlement to a lawsuit over Google's plan to build the world's largest digital library.

A US judge on Tuesday extended for four months the deadline for authors to opt out of a settlement to a lawsuit over Google's plan to build the world's largest digital library.

The original deadline had been May 5 but US District Court [Judge Denny Chin](#) ruled that authors and their heirs or publishers now have until September 4 to decide whether they want their works to be included in the settlement.

The judge also decided that a June 11 "fairness hearing" on the settlement reached in October between Google, the Authors Guild and

the Association of American Publishers (AAP) would now be held on October 7.

The judge's decision came after a group of authors and their heirs asked the judge to extend the deadline by four months to allow for more time to study the "enormously complex" settlement.

Google countered with a proposal that the deadline be extended for 60 days and that the fairness hearing be delayed until at least August 20.

Google's move to push back the opt-out deadline and the fairness hearing by two months was backed by the Authors Guild and the AAP, which filed the class action lawsuit against the [Internet search](#) and advertising giant in 2005.

The group of seven authors and their heirs, which include those of Nobel laureate John Steinbeck, argued for the four-month delay on the grounds the settlement "is truly unprecedented in its scope, complexity, and effort to bind rightsholders conclusively to future exploitations of their digital rights."

Alexander Macgillivray, a Google lawyer, said in a post on the company blog that an extension would give Google more time to try to track down book rightsholders to inform them of their rights under the settlement.

He said Google had already spent millions of dollars trying to locate rightsholders around the world.

Google, the Authors Guild and the AAP announced a settlement to their copyright dispute in October 2008.

The settlement calls for Google to pay 125 million dollars to establish an independent "Book Rights Registry," to resolve outstanding claims by

authors and publishers and to cover legal fees from the lawsuits against Google.

The agreement, which is subject to Chin's approval and only applies to holders of US copyrights, provides future revenue to authors and publishers who agree to digitize their books with the Book Rights Registry.

Under the agreement, readers would be able to preview up to 20 percent of an copyrighted book and pay to see the entire book online.

Book prices would be set by the rightsholder or a Google algorithm.

Advertising would be carried on Web pages displaying the books but not on the books themselves with revenue to be divided 63-37 between the rightsholder and [Google](#).

*(c) 2009 AFP*

Citation: Judge extends 'opt-out' deadline in Google book suit (2009, April 28) retrieved 7 May 2024 from <https://phys.org/news/2009-04-opt-out-deadline-google.html>

<p>This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.</p>
--