

Judge extends deadline to debate Google book deal

September 3 2009, By MICHAEL LIEDTKE , AP Technology Writer



File -- Exterior view of Google headquarters in Mountain View, Calif., is seen in this Oct. 19, 2006 file photo. Online bookseller Amazon.com Inc. is warning a federal judge that Internet search leader Google Inc. will be able to gouge consumers and stifle competition if it wins court approval to add millions more titles to its already vast digital library. A flurry of filings opposing and supporting the class-action settlement is expected by Friday Sept. 4, 2009 _ the deadline for most briefs in the case. (AP Photo/Paul Sakuma, File)

(AP) -- The final assault on a class-action settlement that would expand Google Inc.'s already vast digital library has been delayed until next week.

U.S. District Judge Denny Chin extended the deadline until 10 a.m. EDT Tuesday for protesting or supporting the landmark deal that revolves around [Google](#) converting millions of copyrighted books so they can be read on computers and other electronic devices.

Ironically, Chin moved the deadline from Friday - a date set in April - because the computers running his court's electronic filing system went down for maintenance Thursday and will remain unavailable through the Labor Day weekend.

The 11th-hour change gives the settlement's growing number of opponents more time to hone their arguments against a proposal that would empower Google to make digital copies of millions of copyrighted books now gathering dust on library book shelves.

An alliance that includes two of Google's biggest rivals - Microsoft Corp. and Yahoo Inc. - is among the strident critics expected to spell out their objections in Tuesday morning's flurry of filings. [Silicon Valley](#) attorney Gary Reback, perhaps best known for helping the U.S. government shape an antitrust case against Microsoft a decade ago, is spearheading the attack on Google on behalf of the group, called the Open Book Alliance.

Microsoft and Yahoo also could lodge their own separate complaints against Google, just as Amazon.com Inc. did earlier this week.

Google's 10-month-old settlement with groups representing U.S. authors and publishers would allow the Internet's search leader to act as its partners' sales agent. The nonexclusive arrangement has raised fears that Google - already the owner of the Internet's most powerful advertising network - could emerge as the ringleader of a literary cartel that wields too much control over the prices of digital books.

Those worries prompted the U.S. Justice Department to open an inquiry over whether Google's book deal would violate U.S. laws set up to prevent predatory pricing and promote competition. The Justice Department already has received a waiver giving the agency until Sept. 18 to file its brief with Chin.

Google's ambitions to run the world's digital library also is raising questions about how much data the company intends to collect about what people are reading and what it intends to do with the information.

In response to inquiries from the Federal Trade Commission, Google has agreed to draw up a new privacy policy covering its [digital library](#). The Mountain View-based company also has agreed to adhere to the FTC's policies governing how Internet companies can use their knowledge of people's online interests to target ads at specific individuals, according to letters and statements released Thursday.

Google posted an initial draft of its privacy policy for books late Thursday at <http://books.google.com/googlebooks/privacy.html> .

"We'll work to ensure that the privacy of online readers is fact, not fiction," FTC Chairman Jon Leibowitz said.

Google would turn over most of the revenue from its digital book sales to the participating authors and publishers, just one of the many benefits that the company is touting.

More than 10 million books already have been scanned into Google's electronic index since 2004. The settlement would clear the legal hurdles that have been preventing Google from stockpiling millions of copyrighted books that are out-of-print. Because those [books](#) are scattered in the different [libraries](#) across the nation, they're inaccessible to most people.

The concept of a having library accessible around the clock from anywhere with an Internet has attracted plenty of supporters, especially among librarians and researchers.

After sifting through stacks of conflicting briefs about Google's book

settlement, Chin is scheduled to hear oral arguments in an Oct. 7 hearing in New York.

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