

Google removes European titles from digital books deal

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The logo of Internet search engine company Google its headquarters in Mountain View California. Internet giant Google will remove all European books currently on the market from a US agreement to digitise and sell online books that were out-of-print in the United States

Internet giant Google will remove all books still on sale in Europe from a US online market offering millions of titles that are out of print in the United States, the company said Monday.

Concessions to European publishers come amid controversial plans that opponents say represent a "big landgrab" of the world's stock of up to nine million out-of-print and out-of-copyright books.

Google, which counts some three million titles potentially in play outside the US, must instead negotiate agreements with European publishers and authors.

"Books that are commercially available in Europe will be treated as commercially available under the settlement," Google said in a statement.

"Such books can only be displayed to US users if expressly authorised by rights holders," it added, as hearings got under way in Brussels on Monday to determine the European Union's response to the US deal.

The company also promised to bring a European publisher and a European author onto its board.

Previously, rights holders were considered to have "opted in by doing nothing," according to British trade magazine *The Bookseller's* managing editor, Philip Jones.

Google has digitised millions of books already, which Jones says "people have described as a big landgrab." He stressed: "Publishers (still) want to see more clarity."

Angela Mills Wade, executive director of the European Publishers Council, said the definition of "commercially available" remained a problem area for some members.

She said: "If a copy of an English-language book published in Europe finds its way to a US library, Google could scan it even if the rights haven't been sold in the US market, possibly harming the publisher's own opportunities to sell those rights."

Germany said last week it opposed the US legal settlement citing similar grounds, although the EU itself wants to dust down out-of-print and so-called 'orphaned' books for future generations.

Jessica Sanger of the German booksellers association said: "It's a step in

the right direction, (but) it's not enough for our members to sleep peacefully."

Google reached a class action settlement last October with the Authors Guild and the Association of American Publishers to a copyright infringement lawsuit they filed against the Internet powerhouse in 2005.

Under the settlement, the company agreed to pay 125 million dollars (equivalent to 87 million euros) to resolve outstanding claims and establish an independent Book Rights Registry.

Scanned books no longer on sale -- in over 400 languages, Latin being one of the biggest -- can be bought online, with 63 percent of proceeds going to publishers and authors, and Google retaining the rest.

Google Book Engineering director Dan Clancy said demand for out-of-print books amounts to three percent of total book sales, and that 30,000 rights holders have opted-in.

In response to criticism his organisation is seeking a monopoly, Clancy said the Book Rights Registry "can and will licence works to other proprietors."

Brussels needs to "take a hard look at the copyright system we have today in Europe," according to a statement issued by Information Society and Media Commissioner Viviane Reding and Internal Markets Commissioner Charlie McCreevy.

"Digitisation of books is a task of Herculean proportions which the public sector needs to guide, but where it also needs private-sector support," they underlined.

Clancy told a press conference that he "would love 27 harmonised

copyright markets" across Europe.

Amazon -- a major player in the electronic book sector through its e-reader, the Kindle -- was joined in opposing the US settlement last month by Microsoft and Yahoo!.

Already facing anti-trust scrutiny and privacy concerns, Google still needs the approval of a US District Court judge, who is to hold a "fairness hearing" in New York on October 7.

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