

New deal sought in dispute over Google book plan (Update)

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(AP) -- A \$125 million settlement of a lawsuit that would give Google Inc. the digital rights to millions of out-of-print books will be renegotiated in light of the U.S. Department of Justice's contention that the deal probably violates antitrust law, lawyers involved in the case said Tuesday.

Lawyers for The Authors Guild, the Association of American Publishers and other plaintiffs said in court papers that they and Google met with senior Justice Department officials last Thursday and agreed to work with the government to resolve concerns.

The case involves Google's plans to scan millions of books and make them searchable and available for purchase online, with publishers and authors getting most of the money from the sales of [books](#) that are still protected by copyright. Google says the service will revitalize works that might otherwise be forgotten.

The Justice Department told U.S. District Judge Denny Chin in a brief filed last week that the agreement threatens to give Google the power to increase book prices and discourage competition, though it said a renegotiated [settlement](#) might obey U.S. copyright and antitrust laws.

The government encouraged an improved settlement, saying it "has the potential to breathe life into millions of works that are now effectively off limits to the public."

Lawyers for the authors and publishers said in court papers Tuesday that, "as the United States government put it, no one wants `the opportunity or momentum to be lost.'"

They urged Chin to delay a hearing scheduled for Oct. 7, saying that a new agreement may take away some objections among the roughly 400 opinions, both pro and con, which were filed with Chin by a deadline earlier this month.

The lawyers noted that the responses included hundreds of objections from individuals and corporate entities. In addition, the governments of Germany and France and the attorneys general in Connecticut, Kansas, Missouri, Pennsylvania, Texas and Washington had objected.

Google rivals Amazon.com Inc. and Microsoft Corp. have also criticized the deal.

Google spokesman Gabriel Stricker acknowledged the court filing by plaintiffs in the case Tuesday and said in an e-mail that the company is "considering the points raised by the Department of Justice and others, and we look forward to addressing them as the court proceedings continue."

The settlement was announced by Mountain View, Calif.-based [Google](#)

and the publishing industry last October to resolve two copyright lawsuits contesting the book scanning plans.

AP Technology Writer Michael Liedtke in San Francisco contributed to this report.

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