

Book scanning prompts review of EU copyright laws

October 19 2009, By AOIFE WHITE , AP Business Writer

(AP) -- The European Commission said Monday it may revise copyright law to make it easier for companies like Google Inc. to scan printed books and distribute digital copies over the Internet.

Such changes would likely include ways to more easily compensate authors and publishers, possibly through a statutory license in which a company would automatically get rights to scanning and would pay royalties to a collective pool. Money from that pool would then get distributed to copyright holders.

Under Europe's current patchwork of copyright laws, rights are now managed separately in each of the European Union's 27 nations, making it difficult to seek permission to republish or digitize content, especially when the rights holder is hard to find.

The [European Commission](#) said it would start work next year, with the goal of encouraging mass-scale digitization and suggesting ways for compensating copyright holders. Any suggested changes to European law would have to be approved by EU governments and lawmakers.

The commission said the move was partly triggered by a hearing it held in September where European authors, publishers, libraries and technology companies spoke out about how they would be affected by a deal Google is negotiating in the U.S.

Google has been scanning millions of books still under U.S. copyright.

Under a tentative settlement with U.S. authors and publishers, that will cover all books unless the copyright holders object. A judge still needs to approve the settlement after the parties make changes to address U.S. Justice Department concerns. EU antitrust authorities are not examining it.

The European Commission, the EU executive, said that deal would create a situation where "the vast number of European works in U.S. libraries that have been digitized by Google would only be available to consumers and researchers in the U.S. but not in Europe itself."

EU regulators want to study this year the impact of new rules on so-called orphan works - books in which the copyright holder can't be traced or where copyright is unclear. One idea under consideration is having a manager stand in for authors who aren't represented by the existing copyright agencies that collect and distribute royalties.

EU Media Commissioner Viviane Reding said Europe "had most to offer and most to win from books digitization" as long as it can sort out the legal issues that prevent book scanning.

"If we act swiftly, pro-competitive European solutions on book digitization may well be sooner operational than the solutions presently envisaged under the Google Books settlement in the United States," she said.

Worries over EU copyright are also holding back Google's efforts to scan books in European libraries. Unlike the U.S., Google is only scanning European books over 150 years of age to avoid infringing copyrighted material.

European books within EU copyright will only be added if copyright holders agree, the company says. If there are U.S. editions of the same

works, they would be covered by U.S. copyright - and likely also by the Google [settlement](#) deal.

Overall, [Google](#) has scanned some 10 million [books](#) - many of them still in [copyright](#).

Europeana, a EU-backed project to put content from European libraries online, has some 4.6 million images, texts, and audio and video files, including works from the Louvre, the British Library and Amsterdam's Rijksmuseum.

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