

Last-minute objections filed to Google book settlement

January 28 2010, by Chris Lefkow



Critics of the revised legal settlement with US authors and publishers that would allow Google to scan and sell millions of books online filed a flurry of last-minute objections. Among those submitting objections were online retail giant Amazon, Consumer Watchdog, half-a-dozen French publishing houses, fantasy fiction author Ursula K. Le Guin, pictured in 2005, the Open Book Alliance and others.

Critics of the revised legal settlement with US authors and publishers that would allow Google to scan and sell millions of books online filed a flurry of last-minute objections on Thursday.

Judge Denny Chin is to hold a hearing on February 18 on Google's vast digital book project and the deadline for filing briefs in the case was Thursday.

Among those submitting objections were online retail giant Amazon, Consumer Watchdog, half-a-dozen French publishing houses, fantasy fiction author Ursula K. Le Guin, the Open Book Alliance and others.

Amazon, which makes the popular Kindle [electronic book reader](#) and runs a digital bookstore of its own, said the revised agreement violates anti-trust and copyright law and urged the judge to reject it.

[Google](#) in 2008 reached a settlement with the Authors Guild and the Association of American Publishers to a [copyright infringement](#) suit they filed against the Mountain View, California company in 2005.

Under the settlement, Google agreed to pay 125 million dollars to resolve outstanding claims and establish an independent "Book Rights Registry," which would provide revenue from sales and advertising to authors and publishers who agree to digitize their books.

Amid objections from France, Germany, the US Justice Department and others, Google and the authors and publishers drafted the modified deal which is before the court.

The revised agreement narrowed the definition of books covered under the settlement to those registered with the US Copyright Office by January 2009 or published in Australia, Britain, Canada or the United States.

The Justice Department has until February 4 to make its views known but the revised deal does not appear to have placated some of its original opponents.

"The proposed settlement threatens to bottleneck the access to and distribution and pricing of the largest, private digital database of books in the world," the Open Book Alliance said.

"Google is focused on becoming the sole owner of an immense digital library that will improve the company's advertising-based search business," it said.

The Open Book Alliance includes Amazon, Microsoft and Yahoo!, the New York Library Association, the Internet Archive, a San Francisco-based non-profit with a digital book-scanning project of its own, and others.

Consumer Watchdog said "the revised settlement suffers from the same fundamental problems as its predecessor."

It said it notably fails to do enough to protect reader privacy, violates copyright laws and gives "unfair competitive advantages to Google."

Best-selling author Le Guin filed a petition signed by more than 365 other writers asking judge Chin to exempt the United States from the settlement -- a move that would effectively torpedo the agreement.

In her petition, she said the settlement was negotiated by the Authors Guild "without consultation with any other group of authors or American authors as a whole."

Last week, the heirs of American author John Steinbeck and folk singer Woody Guthrie dropped their opposition to the settlement, which Google says would make many out-of-print books available online.

"If approved by the court, this settlement stands to unlock access to millions of books in the US while giving authors and publishers new ways to distribute their work," a Google spokesperson told AFP earlier this week.

Among the Authors Guild members supporting the settlement are Wally

Lamb, Simon Winchester, Beverly Cleary, Amy Tan, Scott Turow,
Garrison Keillor and Elmore Leonard.

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