

Photographers sue over Google book-scanning project

April 7 2010



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"This case is about fairness and compensation," said James McGuire, a partner in the law firm handling the class action suit, Mishcon de Reya New York.

"It's only right that if someone uses something you create, you should be paid for it," McGuire said.

Parties to the suit include the American Society of Media Photographers, Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association and the Professional Photographers of America.

The lawsuit was filed with the US District Court for the Southern District of New York, which is currently considering a class action settlement between Google and US authors and publishers over the digital book project.

The Authors Guild and Association of American Publishers sued Google for copyright infringement over the book-scanning project in 2005 and reached a settlement in the case in October 2008.

Judge Denny Chin held a hearing on the settlement in February but has not yet come out with a ruling on the case.

The proposed settlement calls for Google to pay 125 million dollars to resolve outstanding claims and create a "Book Rights Registry" that would provide a majority of revenue from book sales and advertising to authors and publishers.

In November, Chin denied a request by the photographers and illustrators to join the lawsuit filed by authors and publishers and suggested they file their own suit, which they did on Wednesday.

Google has been scanning millions of books to create a digital library and electronic bookstore but the project has been dogged by controversy because of copyright, anti-trust and privacy issues.

Asked about the latest lawsuit, a Google spokesperson told AFP the Mountain View, California-based search and advertising giant is "confident that Google Books is fully compliant with international

copyright law.

"Google Books is an historic effort to make all of the knowledge contained within the world's books searchable online," the spokesperson said. "It exposes readers to information they might not otherwise see, and it provides authors and publishers with a new way to be found."

In their complaint, the photographers and illustrators accused Google of "massive copyright infringement."

They claimed the lawsuit was intended to redress "the most widespread, well-publicized, and uncompensated infringement of exclusive rights in images in the history of book and periodical publishing."

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