

Google book settlement facing antitrust scrutiny

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People sit under a Google logo at the Google stand of the Frankfurt Book Fair in 2008. Google's settlement with US authors and publishers over its book scanning project still needs the green light from a US judge but it may first have to pass muster with the US Justice Department.

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One day after US District Court Judge Denny Chin delayed his review of the agreement for four months, until October, reports surfaced that US antitrust regulators have taken an interest in the controversial settlement.

The Wall Street Journal and New York Times reported on Wednesday that the justice department has begun inquiries into the deal which would

allow Google to create the world's largest digital library and online bookstore.

The Times said the justice department was examining antitrust implications of last year's settlement of a lawsuit filed against Google by the Authors Guild and Association of American Publishers (AAP).

Alleging [copyright infringement](#), the Authors Guild and AAP filed a class action lawsuit against the Internet search and advertising giant in 2005 over its scanning of millions of books through its Google Book Search service.

They reached a settlement in October under which Google agreed to establish an independent "Book Rights Registry," which will provide revenue from sales and advertising to authors and publishers who agree to digitize their books.

One of the biggest concerns of opponents of the settlement, however, are the millions of so-called "orphan" books, out-of-print works whose copyright holder cannot be found.

Opponents of the settlement have argued that it gives Google an exclusive license to scan, sell and profit from "orphan" books.

Among the groups making this argument is the Internet Archive, a San Francisco-based non-profit which has its own digital scanning project.

The Times cautioned that the inquiry does not necessarily mean the justice department will open a formal investigation or oppose the settlement, which still needs the approval of Judge Chin.

Chin on Tuesday extended until September 4 the deadline for authors and their heirs or publishers to decide whether they want to be included

in the settlement.

The judge also postponed a scheduled June 11 "fairness hearing" on the settlement to October 7.

Chin's decisions came after a group of authors and their heirs asked the judge to extend the deadline by four months to allow for more time to study the "enormously complex" 334-page settlement agreement.

[Google](#) has been the target of justice department [antitrust regulators](#) previously, including last year when it was forced to abandon a planned advertising deal with Internet rival Yahoo!

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