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Harry Potter and the Internet Pirates

By AMY HARMON

JC, a 36-year-old Harry Potter fan in Kansas City, Mo., decided he was too old to go chasing after the fifth book in the popular series when it came out last month. Instead, he downloaded the book, "Harry Potter and the Order of the Phoenix" from the Internet, conveniently avoiding both bookstore crowds and the \$29.99 cover price.

"I thought it was a little slow until the second half, then it got much better," said JC, who insisted on being identified only by the online nickname because he thinks that what he did was illegal. He said he still intended to buy the book to read to his 8-year-old son.

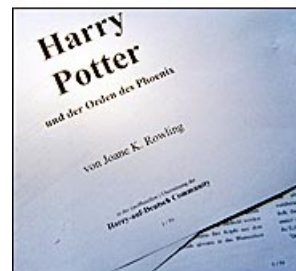
So far, authors and publishers have mainly stood on the sidelines of the Internet file-swapping frenzy that has shaken the music industry and aroused fear among makers of motion pictures. But the publishing phenomenon around the young wizard appears to be forging a new chapter in the digital copyright wars: Harry Potter and the Internet pirates.

A growing number of Potter devotees around the world seem to be embracing the prospect of reading the voluminous new book (766 pages in the British edition; 870 in the American version) on the screen. And at least some of them are assisting in the cumbersome process of scanning, typing in or translating the book, which its author, J. K. Rowling, has not authorized for publication in any of the existing commercial e-book formats.

Last week, enthusiastic readers put unofficially translated portions of "Order of the Phoenix" on the Web in German and Czech, only to remove them after the publishers that own the rights in their respective countries threatened legal action.

English-language copies of the book — along with fan-written stories masquerading as the real thing — are available on all the major file-sharing

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Photographs by Otto Pohl for The New York Times

Bernd Koelemann, left, a computer engineer in Berlin and a member of a Harry Potter translating collective, with his daughter Anna, who at 14 inspired the effort — asking Mr. Koelemann to translate an earlier Potter book. Below, a printout of part of the collective's current translation.

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networks in a variety of file formats.

The choices include Adobe's ubiquitous PDF and text files that can be opened in a word-processing program. There is also [Microsoft's](#) fancier LIT format — which requires use of its free e-book reader software and opens in a narrow window that looks a lot like a book, although with hyperlinks to each chapter and the ability to search for terms like Quidditch.

"What is unusual for us as people who deal with piracy of books is that these are people who are not directly making money for having put them on the Internet," said Ian Taylor, international director of the Publishers Association in Britain. "That is obviously what's been happening with peer-to-peer music, but it's not something we've had to deal with before."

Neil Blair, business manager at Christopher Little, Ms. Rowling's literary agency, said the firm was aware of several unauthorized copies of the book on the Web and was contacting Internet service providers to ask that they be removed.

"E-book rights are reserved to J. K. Rowling," Mr. Blair said. "so any Harry Potter novels on the Net are unauthorized. We also have an obligation to protect the children who might believe they are reading the official work."

Mr. Blair said he did not expect the illicit e-books to have an impact on sales of the printed book. More than 200 million copies of the first four books have been sold in 55 languages. And the fifth book, released at midnight on June 20 and published in Britain by Bloomsbury and in this country by Scholastic, is ranked No. 1 on children's books best-seller lists.

A spokeswoman for Scholastic said no one was available to comment. A spokeswoman at Bloomsbury did not return calls last week.

Some publishing industry officials say the electronic Potter piracy may be a perverse sign that the public is finally acquiring a taste for e-books.

"I used to joke in my speeches that e-books had not arrived because none of the pirate sites were dedicated to books," said Michael Hart, founder of Project Gutenberg, which began putting books whose copyrights had expired online 32 years ago and has made nearly 9,000 books freely available. "It is obvious that the infrastructure to make legal e-books is now so strongly entrenched that people feel empowered to make their own, even when the publishing industry refuses."

That is partly because fast scanners that cost hundreds of dollars a few years ago now come free with many new personal computers. And free software tools distributed by commercial e-book publishers like Microsoft and Adobe also make it easy to format and correct errors.

If the heightened interest in e-books proves more enduring than the Potter phenomenon, it may also reflect that people are increasingly accustomed to thinking of the Internet as a vast library. Project Gutenberg's free books are available from hundreds of Web sites. Roughly seven copies a minute are downloaded from the 1,600 e-books available free on the University of Virginia's Electronic Text Center, with "Alice's Adventures in Wonderland" the leading title.

But ultimately, file-sharing software may be the most powerful force in shaping the online distribution of books, as it has for other media. Technical books and

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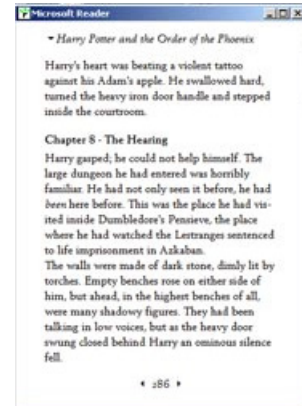
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An illicit copy of "Harry Potter and the Order of the Phoenix."

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Frank Robichon for The New York Times

Wayne Chang, a college student now in Tokyo, reading Harry Potter on his computer at a Starbucks there.

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Real Estate

science fiction have long been available on newsgroups like alt.binaries.ebooks, but many Internet providers refuse to carry such forums. File-sharing software like KaZaA — which allows individual users to make any kind of file available on their computers for others to copy — has trained a generation of media consumers to turn to the Internet for movies, music and games.

A 22-year-old university student in Britain, who calls himself Comrade Dave and downloaded "Phoenix" recently using software called BitTorrent, said he acquired the first four books the traditional way. But the student, who had also downloaded a copy of the latest "Terminator" movie, said he saw the book on a regular check of his favorite file-sharing site, SuprNova.

"When I saw HP I had to get it straight away because I've read all the other books," wrote Comrade Dave, who switches over to reading "Phoenix" on his desktop computer when he needs a break from his other work.

Particularly for experienced file-swappers, e-books have an obvious appeal: they are smaller and therefore faster to download than most music or movie files. Hundreds of e-books can be stored on a CD or in a hand-held device like a [Palm Pilot](#).

Wayne Chang, an American college student and computer systems administrator who is in Tokyo for the summer, said it took him about three minutes to download "Phoenix" to his laptop computer after searching local bookstores in vain when the book came out.

Still, the same drawbacks that have thwarted the market for commercial e-books for years afflict even the most eager electronic Potter fans: Mr. Chang said he has stopped on Page 90 and is waiting for a colleague in the United States to send him a hard copy because he wants "the real thing."

"It's like 'Matrix Reloaded,'" Mr. Chang explained in an instant message, with the hard-earned wisdom of a consumer of unauthorized digital media. "You want to see it so bad that when they released it on the Internet two days before it came out, you didn't download it," he said, because seeing it on a large screen in a theater was an experience to be savored.

Yet for some fans in countries where the "real thing" is not due out for months, an alternate experience looks just fine. The 15-year-old Web master of a Harry Potter fan site, HP News (<http://www.x.unas.cz>) said he downloaded and read a partial Czech translation of the book published by another group of teenage fans before the Prague-based publisher, Albatros, insisted that they remove it from the Internet.

A spokesman for Albatros said there had been a slight delay in the Czech translation because the translator has been ill. It is scheduled to be published on Feb. 1.

"Yes, I read the illegal translation," a correspondent named Hustey wrote in an e-mail message. "I keep it in my PC. And I still waiting for next translation, cause I don't want wait to next year for legal translation."

A group of German fans who formed a kind of Internet translating collective also removed portions of their translation from the site www.harry-auf-deutsch.de last week when Carlsen Verlag, the Hamburg-based publisher, asserted that it was a

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breach of copyright. The project continues, but the 800 or so participants now exchange the text only over e-mail.

"We do not do anything against private initiatives," said Katrine Hogrebe, Carlsen's press manager. "But at the moment when translated texts are published, pieces of texts or whole texts, this is an infringement of copyright."

Bernd Koelemann, a computer engineer in Berlin who organized the project, said the intention was to foster communication and education among Potter fans. Mr. Koelemann had organized a smaller-scale electronic effort after his daughter Anna, then 14, asked him in 2000 to translate the fourth book, "Harry Potter and the Goblet of Fire."

This time, hundreds of people had signed up to translate before the English version of "Phoenix" went on sale. Under the rules of the collective, only those who contribute by translating or proofreading may see the final version. The portions of translation on the Web site were merely meant to attract more readers to the project, Mr. Koelemann said.

Still, under an agreement with Carlsen, the Web site remains open along with an active discussion about the book and the best way to translate it. (Disagreements with "Fritz," as Carlsen's official translator, Klaus Fritz, is referred to, abound.) It also includes a section called "cucumber salad," which highlights errors and omissions the translating group has identified in the official published translations of the first four books

Britta Sander, 16, of Kaarst, Germany, who translated pages 709-711, the part where a much-loved character dies, said she wished the unofficial translation could be more widely distributed as an alternative to the Carlsen version.

"I think it's unfair to the German fans, just because some people can't read English and have to read the German book," said Ms. Sander, who did not have that problem herself: having preordered the book in English from [Amazon's](#) British Web site, she had finished it 31 hours after it was delivered on the night of June 20.

Many of those reading unauthorized electronic versions of "Phoenix" last week said they were doing so for the convenience and immediacy, not because they were free.

"This shows that if authors and publishers choose not to make books available legally, people are going to go out and steal them," said Mike Seagroves, director of business development for Palm Digital Media, the largest commercial distributor of e-books.

Mr. Seagroves said that when his company approached Scholastic, the American publisher of the Harry Potter books, about an e-book version for the fourth book, it was given the impression that Ms. Rowling wanted a \$1 million advance.

Since Mr. Seagroves estimates that only about \$8 million to \$10 million worth of e-books will be sold this year, that seemed like a lot. Mr. Blair, from Ms. Rowling's literary agency, said that the figure was incorrect but that there were no plans to publish an e-book.

At least one fan of both Harry Potter and e-books is holding out, though. Byron

Collins, 42, of Oak Grove, Ky., is circulating a petition addressed to Ms. Rowling asking her to consider publishing her books in e-book format.

Mr. Collins, a factory worker who has read Tom Swift novels, Shakespeare and "Moby Dick" on his [Handspring](#) Visor, remarked, "I would just like the author to consider the pros and cons."



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