Google Book-Scanning Pact to Give Libraries Input on Price

By MIGUEL HELFT
Published: May 20, 2009

SAN FRANCISCO — In a move that could blunt some of the criticism of Google for its settlement of a lawsuit over its book-scanning project, the company signed an agreement with the University of Michigan that would give some libraries a degree of oversight over the prices Google could charge for its vast digital library.

Google has faced an onslaught of opposition over the far-reaching settlement with authors and publishers. Complaints include the exclusive rights the agreement gives Google to publish online and to profit from millions of so-called orphan books, out-of-print books that are protected by copyright but whose rights holders cannot be found.

The Justice Department has also begun an inquiry into whether the settlement, which is subject to approval by a court, would violate antitrust laws.

Google used the opportunity of the University of Michigan agreement to rebut some criticism.

“I think that it’s pretty short-sighted and contradictory,” said Sergey Brin, a Google co-founder and its president of technology. Mr. Brin said the settlement would allow Google to offer widespread access to millions of books that are largely hidden in the stacks of university libraries.

“We are increasing choices,” Mr. Brin said. “There was no option prior to this to get these sorts of books online.”

Under Google’s plan for the collection, public libraries will get free access to the full texts for their patrons at one computer, and universities will be able to buy subscriptions to make the service generally available, with rates based on their student enrollment.

The new agreement, which Google hopes other libraries will endorse, lets the University of Michigan object if it thinks the prices Google charges libraries for access to its digital
collection are too high, a major concern of some librarians. Any pricing dispute would be resolved through arbitration.

Only the institutions that lend books to Google for scanning — now 21 libraries in the United States — would be allowed to object to pricing.

The new agreement also gives the university, and any library that signs a similar agreement, a discount on its subscription proportional to the number of books it contributes to Google’s mass digitization project. Since Michigan is lending a large number of books, it will receive Google’s service free for 25 years.

“This agreement gives us a number of things in the context of the settlement that are valuable to us and we think are valuable to other libraries,” said Paul Courant, dean of libraries at the University of Michigan.

The American Library Association, which has asked the court to oversee aspects of the settlement, said the new agreement is a step in the right direction but is insufficient to ensure that Google does not set artificially high prices for its digital collection.

“Any library must have the ability to request that the judge review the pricing should a dispute arise,” said Corey Williams, associate director at the association’s Washington office.

Since libraries that contribute books will receive discounts, they may have fewer incentives to complain about prices.

The new agreement does not address other criticism, including the complaints over orphan works and worries that the agreement does not protect the privacy of readers of Google’s digital library.
Google Book-Scanning Pact to Give Libraries a Say in Price – NYTimes.com

A Google Search of a Distinctly Retro Kind
(March 4, 2009)

Google and Amazon to Put More Books on Cellphones
(February 6, 2009)

INSIDE NYTIMES.COM

A Google Search of a Distinctly Retro Kind
(March 4, 2009)

Google and Amazon to Put More Books on Cellphones
(February 6, 2009)

Warning: Paralysis May Result
Vegas’s Man of Many Voices Falls Silent
He Rocks, They Flock: The Yoga King

Bloggingheads: Afghan Politics
Are President Obama’s war aims serious, or is he just playing politics?
Madoff Loss Hits Art Aid for Young in Israel
Letters: How to Build a Successful C.E.O.

Copyright 2009 The New York Times Company