

Information Technology

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Google Adjusts Its Book-Scanning Project in Response to Complaints From Publishers

By JEFFREY R. YOUNG

Responding to concerns from several academic and commercial publishers, Google has made minor adjustments in its vast project to scan library books, and Google officials say they will not scan any copyrighted books until November, while publishers consider the new policies.

Google officials say they will make sure they do not scan any book held by a library if the book's publisher asks that the book not be scanned. In the past, Google had said that it would scan entire library collections and remove book scans after the fact only if a publisher sought the removal of a book from Google's online index.

Google's Library Project, announced in December, involves five major libraries that have agreed to let the search company scan some or all of their books and include the full texts in its search index (<http://print.google.com/googleprint/library.html>). The company plans to allow users to see the complete texts of books that are in the public domain, but to show only short excerpts from books that are still under copyright.

In a related project, Google has forged deals with publishers in which the publishers allow Google to index the full text of some of their books in exchange for a cut of any advertising revenue. Google is now offering those publishers a chance at advertising revenue from their books that are scanned as part of the library project, but only if the publishers claim those titles by submitting a list to Google.

Fair Use?

In recent months, several publishers have complained to Google that the library-scanning project violates copyright, even if Google displays only snippets of a book. According to some publishers, even making a digital copy of a book to create an index requires the permission of the book's copyright holder. Google officials argue that their project is legal under the principle of fair use.

Adam M. Smith, a senior business-product manager at Google, said in an interview that the company had changed its policy in response to complaints by publishers in meetings.

"A number of them have had concerns with particular titles," he said. "We wanted to provide them the opportunity to tell us when they didn't want us to scan particular volumes." He said the policy is consistent with how Google indexes Web sites.

If a Web-site owner asks Google not to index it, the search giant honors that request, he said. "But we do feel that being indexed by Google gets you further exposure and thus helps further your business aims," he added.

"In order to give publishers time to review these new options, Google will not scan any in-copyright works through the library project until November 2005," he said.

Concerns Not Allayed

But some publishers say that Google must gain permission before scanning any copyrighted books.

In a written statement, the Association of American Publishers, which has been in talks with Google in recent months, said its concerns had not been allayed.

"The U.S. publishing industry, through the Association of American Publishers, continues to express to Google grave misgivings about the Google Print Library Project and specifically the project's unauthorized copying and distribution of copyright-protected works," the statement said.

"Their procedure places the responsibility for preventing infringement on the copyright owner rather than the user, and turns every principle of copyright on its ear," said Patricia S. Schroeder, the group's president and chief executive, in the statement.

The Association of American University Presses has expressed similar concerns about Google's project. Peter Givler, the association's executive director, said the new policy "doesn't seem to me that it gets us very far."

"To their credit Google has declared a sort of moratorium on copyrighted works in the library program until November 1," he added. "I think there's still some opportunity to keep on talking and see if we can't get a better resolution here."

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