

LIBRARY FAQ

Settlement Between Google and Parties Alleging Copyright Infringement

What was the role of the libraries in the settlement?

Libraries at the Universities of California, the University of Michigan, and Stanford University have provided input into the settlement by advocating for libraries' interests and ensuring maximum public access to works in the public domain. Their significant efforts to preserve, maintain, and provide access to books have played a critical role in achieving this agreement. The libraries were not party to the lawsuit or settlement, which was strictly between Google, publishers, and the Authors Guild.

What was achieved through the settlement in terms of the public good?

- Users gain broader public access to books through full-text indexing and discovery services online, with pointers to copies held in local libraries.
- Out-of-copyright books in the public domain will continue to be free to anyone to search, browse, download, and read.
- Users will be able to freely preview a limited number of pages of out-of-print books online. Free, full-text online access to these books will be available at designated computers in public and university libraries.
- Services will be developed for users with print disabilities, giving them access to books.

What was achieved through the settlement for the libraries?

- Participating libraries will be able to share all of their digital copies of out-of-copyright books with other research libraries.
- Libraries will also be able to obtain subscriptions for online access to in-copyright books.
- A database of in-copyright and out-of-copyright books (known as the research corpus) will be made available to scholars for advanced research.

What does this mean for the libraries' participation in the Google Book Search project going forward?

A number of U.S. libraries that currently work with Google hope to continue to participate by making their collections available for this project pending the successful outcome of negotiations between each library and Google. Through their anticipated participation, the libraries are furthering their efforts to preserve, maintain and provide access to books. It is expected that additional libraries in the U.S. will participate in this project in the future.

What are the details of the contracts being negotiated between the libraries and Google?

The details of these agreements are still to be determined, but they will include updates to the original contracts that reflect the terms of the settlement.

Why do the libraries support this settlement agreement?

On balance, we believe the agreement is consistent with the libraries' mission and serves the public interest by providing the widest possible access to these materials. The agreement offers libraries the opportunity to do the following:

- Provide greater public access to materials by making public domain works freely available online.
- Make it easier for users to find materials online through keyword searches on the full text of millions of books.
- Protect their holdings against catastrophic loss – in the event of a catastrophe such Hurricane Katrina which destroyed hundreds of thousands of volumes at the Tulane University library, we would have digital surrogates for print materials.

How does this impact libraries' participation in other digitization efforts?

The agreement allows libraries to share their copies of out-of-copyright books with other research institutions. In addition, the agreement is non-exclusive, allowing the libraries to partner with others who share their vision of providing access to the public domain in order to digitize materials.