

# The Google Book Deal Settlement: Ignoring the DOJ

## DOJ says, big changes needed...

- “As presently drafted, the Proposed Settlement does not meet the legal standards this Court must apply.”



## Google and its partners say, who cares?....

- “This settlement is a win-win for authors, publishers and Google...” – *Sergey Brin, Co-Founder of Google, 10/09/09*

- “...the breadth of the Proposed Settlement – especially the forward-looking business arrangements it seeks to create – raises significant legal concerns.”



- “We don’t want to change it unless we need to.” – *Eric Schmidt, CEO of Google, 10/07/09*

- “...it would scarcely be sound policy to encourage deliberate copyright violations and additional litigation as a means of obtaining approval for licensing provisions that could not otherwise be negotiated lawfully.”



- “The basic deal is not changing.” – *Paul Aiken, Authors Guild, 10/07/09*

- “Nor is it reasonable to think that a competitor could enter the market by copying books en masse without permission in the hope of prompting a class action suit that could then be settled on terms comparable to the Proposed Settlement. “



- “Nothing in this agreement precludes any other company or organization from pursuing their own similar effort.” – *Sergey Brin, Co-Founder of Google, 10/09/09*

- “In the view of the United States, each category of objection is serious in isolation, and, taken together, raise cause for concern.”  
*Source: DOJ Brief, 09/18/09*



- It “may be in the eye of the beholder” – *Richard Sarnoff of Bertelsmann and former chairman of the Association of American Publishers on whether the amendments made will be significant, 10/07/09*