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CONTACTS:
Jenni Terry
ALA Washington Office Press Officer
(202) 628-8410, jterry@alawash.org

Prudence S. Adler
ARL Associate Executive Director
(202) 296-2296, prue@arl.org

Library associations ask judge to assert vigorous oversight of proposed Google Book Search Settlement

WASHINGTON, DC – The American Library Association (ALA), the Association of College and Research Libraries (ACRL) and the Association of Research Libraries (ARL) today filed comments with the U.S. District Court for the Southern District of New York for the judge to consider in his ruling on the proposed Google Book Search Settlement. The associations asked the judge to exercise vigorous oversight of the interpretation and implementation of the settlement to ensure the broadest possible benefit from the services the settlement enables.

Representing over 139,000 libraries and 350,000 librarians, the associations filed the brief as members of the plaintiff class because they are both authors and publishers of books. The associations asserted that although the settlement has the potential to provide public access to millions of books, many of the features of the settlement, including the absence of competition for the new services, could compromise fundamental library values including equity of access to information, patron privacy and intellectual freedom. The court can mitigate these possible negative effects by regulating the conduct of Google and the Book Rights Registry the settlement establishes.

“While this settlement agreement could provide unprecedented access to a digital library of millions of books, we are concerned that the cost of an institutional subscription may skyrocket, as academic journal subscriptions have over the past two decades,” Erika Linke, president of ACRL, said.

Under the settlement, Google, the Association of American Publishers and the Authors Guild resolved their legal dispute over the scanning of millions of books provided by research libraries. The library associations are not asking the judge to reject the settlement. Instead, they are requesting the judge to carefully monitor the parties’ behavior once the settlement takes effect.

Jim Rettig, president of ALA, said the proposed settlement, “offers no assurances that the privacy of what the public accessed will be protected, which is in stark contrast to the long-standing patron privacy rights libraries champion on behalf of the public.”

Although the filing deadline for comments to the judge was recently extended by four months, the associations moved forward with filing by the original deadline to help inform the public as it considers this important and complex matter.

“The filing before the court by the library associations demonstrates that the associations will be

vigilant in highlighting the interests of the public in this settlement. We have asked the court to exercise vigorous oversight to ensure that the powerful groups that control content do not leave individual researchers, libraries, other cultural organizations and the public without an effective voice,” Tom Leonard, president of ARL, said.

The library associations filing can be viewed on the [ALA](#) or [ARL](#) Web sites.

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