



KENNEALLY: This is Chris Kenneally, Director of Author Relations for the nonprofit Copyright Clearance Center. I'm here to invite everyone in the *Beyond the Book* audience to a very special program coming up on Tuesday, April 14<sup>th</sup>, at 12:00 PM Eastern time. It's a Webinar we're presenting from Copyright Clearance Center on the Authors' Guild AAP Google settlement, what authors and publishers need to know as May 5<sup>th</sup> approaches. And presenting the program will be Lois Wasoff, who is a well-known copyright expert and attorney, and she's with us right now. Welcome, Lois.

WASOFF: Thank you, Chris. It's nice to be here.

KENNEALLY: And it's great to have you, and we want to tell people a bit about what this program is about, because we think it's going to be very helpful to them as they look into ways of understanding what they need to know about this important settlement. Very briefly, can you just tee up for us, what are the points you're going to be making in the Webinar?

WASOFF: Well, the Google Books settlement with the Authors' Guild and the AAP has gotten a lot of attention lately from the press, and I think that's right, because it's an important development for publishers, for authors, for literary agents, for anyone involved in book publishing. It's a comprehensive settlement that deals with the many, many books, literally millions of books, that were scanned by Google as part of its library project, digitizing the collections of major university libraries. And the terms of the settlement can have a very significant impact on any rights holder.

I think it's also important for people to understand that, because the action, the legal actions that were being brought, are being settled using a class action mechanism, the terms of the settlement are going to apply to a broad range of rights holders, including rights holders that may not have been involved in the litigations, aware of the litigations. It's going to have an impact beyond – well beyond a small group.

So I think this Webinar is going to be an opportunity for people to get an overview of a very complex and detailed settlement, be able to evaluate the terms of the settlement for themselves, and hopefully it'll give the participants the tools that they need to make a decision that's coming up for them on May 5<sup>th</sup>, the deadline for deciding whether, as a potential member of this class, you want to participate in the settlement or not, is going to occur. And people will need to make their decisions by then.

It's important also for people to realize that if you don't formally take steps to opt out of the settlement, you become a participant in the settlement. So we're hopeful



that, at the end of the time we spend in the Webinar, we'll have given rights holders, authors, publishers, literary agents, the entire rights community, the members that participate in the Webinar, a better sense of what's involved in the settlement.

KENNEALLY: And at Copyright Clearance Center it's our mission to help rights holders appreciate the value of their work, and to understand what they need to do, and the decisions they need to make to maintain control of their work. And I guess the most important message at this point is to alert people to how important and how complicated some of this is.

WASOFF: I think that's an excellent point. One of the basic premises of the settlement, one of the goals, I think, of the rights holders that negotiated the settlement – the Association of American Publishers and the Authors' Guild representatives – was to preserve rights holder choice. So the settlement does give rights holders a broad range of choices to make, but because of its complexity and its breadth, some of those choices won't be immediately obviously to people. And what I'm hoping is that we'll be able to lay out for people how they can make a decision about whether or not to participate in the settlement, and if they choose to participate, how they can get the most benefit from the protections and the options that were built into the settlement for them by the people who negotiated it.

KENNEALLY: And while the May 5<sup>th</sup> deadline is approaching very quickly, it's not the only one that's going to be coming up. There will be a whole series of cascading deadlines that will flow from whatever happens in court that day, and subsequent times.

WASOFF: That's correct. The May 5<sup>th</sup> deadline is the deadline for those who want to opt out of the settlement to send a notice expressing their preference. It's also the deadline for filing objections to the settlement, if you have issues that come up for you in your situation that you want to bring to the attention of the court. But after that, there'll be what's called a fairness hearing on June 11<sup>th</sup>. That's when the court will consider the terms of the settlement and any objections or comments that it received by that date. That date, the June 11<sup>th</sup> hearing, could be moved by court discretion.

And then, assuming that the result of that review is approval of the settlement by the court, there are other deadlines coming up as well. There's a deadline in January of 2010 for rights holders to file claims if they want to be paid a payment by Google for the past scanning activities. There are deadlines coming up with respect to choices about keeping books in the Google database or removing them. It will take us the full hour to go through those choices. But this is information that



I think rights holders need to have, to be certain that they're protecting themselves or protecting the integrity of their works.

KENNEALLY: As a rights holder myself, I couldn't agree more, and I'm looking forward to working through all these questions with you in this free online informational seminar that Copyright Clearance Center is presenting on Tuesday, April 14<sup>th</sup>, at 12:00 PM Eastern time with Lois Wasoff. And Lois, thank you very much for teeing all this up for us. Appreciate your being on *Beyond the Book*.

WASOFF: Thank you very much, Chris.

KENNEALLY: And you'll find information about how you can participate in the Webinar on our Website, [beyondthebook.com](http://beyondthebook.com). We look forward to having you join us again on Tuesday, April 14<sup>th</sup>, at noontime, Eastern time.

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