

NORTH CAROLINA

May 1, 2009

Dear UNC Press Authors:

You have probably been reading about the proposed settlement of the 2005 class-action lawsuit brought against Google by the Authors Guild and the Association of American Publishers over the unauthorized digitizing of some 7 million books supplied by various university libraries.

Recently the Board of Governors of the UNC Press endorsed a decision to remain in the Google settlement. This means that books whose publication rights are controlled by UNC Press (regardless of who holds the copyright) and which were scanned by Google without authorization will be afforded the protections offered by the settlement. **Neither you nor the Press has to do anything to stay in the settlement.** And there are lots of reasons to do so, in my opinion. For example, the settlement outlines clear limitations on what the cooperating libraries can do with the electronic files of your book that they received in exchange for providing Google with access. It also means that (eventually) you and the Press will share in the cash payment Google will provide for each book scanned without authorization (up to \$60/title). There are other decisions ahead about what uses and access we will authorize; more news on that to come. Our immediate challenge is to identify all UNC Press books digitized without authorization (journals are not covered by the settlement). This is a huge administrative burden, and we are struggling to complete this work as soon as possible. We will provide periodic updates on our website at the start of the month for our authors.

This has been called the largest and most complex class-action settlement in U.S. history. You can find the settlement documents at:

http://www.googlebooksettlement.com/r/view_settlement_agreement

If you want to dive in, you might start with Attachment I (38 pp), which is a useful summary.

FAQs can be found at the official settlement website:

<http://www.googlebooksettlement.com/help/bin/answer.py?answer=118704&hl=en>

as well as the websites of the Author's Guild and AAP:

<http://www.publishers.org/main/Copyright/Google/Faq.htm>

In addition, you can read about the settlement on numerous blogs, in mainstream media like the *New York Times* and *Wall St. Journal*, in the *Chronicle of Higher Education*, and on the websites of public interest, advocacy, and library groups. (If you google the settlement, the first listing directs you to the Google settlement site.) The deadline for filing formal objections to the settlement was May 5— but earlier this week, the federal judge pushed the deadline back to September 4; the fairness hearing (originally scheduled for June 11) is now scheduled for October 7. Thereafter, the court will decide whether to accept the settlement.

You can read more about the delay at

<http://oncopyright.copyright.com/>

If you have questions at this time ***and cannot find the answers in the FAQs or summaries that are available***, please send them to us at uncpress.googlesettlement@unc.edu. Your patience is appreciated, and I assure you that we will make every attempt to answer in a timely fashion.

Best wishes,



Kate Douglas Torrey
Director, UNC Press