

The Googlization of Everything: Google, Digitization, and the Future of Books



A Presentation

by Siva Vaidhyanathan

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The Basics

- Google Book Search (formerly Google Print) is a service comprising two major projects.
 - A) The Publisher program -- a partnership with publishers through which they license their works to Google's index.
 - B) The Library program -- a partnership with libraries through which they offer millions of volumes for scanning into the index.



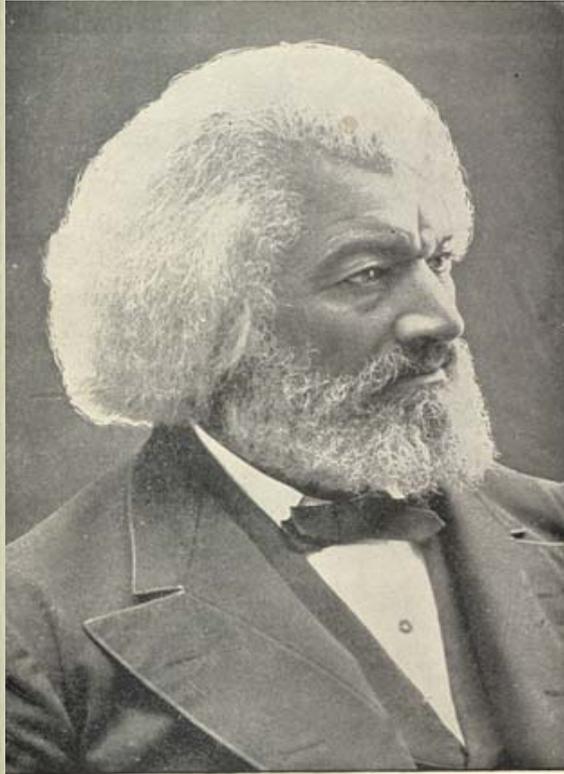
Kevin Kelly:

- “So what happens when all the books in the world become a single liquid fabric of interconnected words and ideas? Four things: First, works on the margins of popularity will find a small audience larger than the near-zero audience they usually have now. ... Second, the universal library will deepen our grasp of history, as every original document in the course of civilization is scanned and cross-linked. Third, the universal library of all books will cultivate a new sense of authority.”

John Updike:

- “In imagining a huge, virtual wordstream accessed by search engines and populated by teeming, promiscuous word snippets stripped of credited authorship, are we not depriving the written word of its old-fashioned function of, through such inventions as the written alphabet and the printing press, communication from one person to another – of, in short, accountability and intimacy?”

Sixteen Libraries

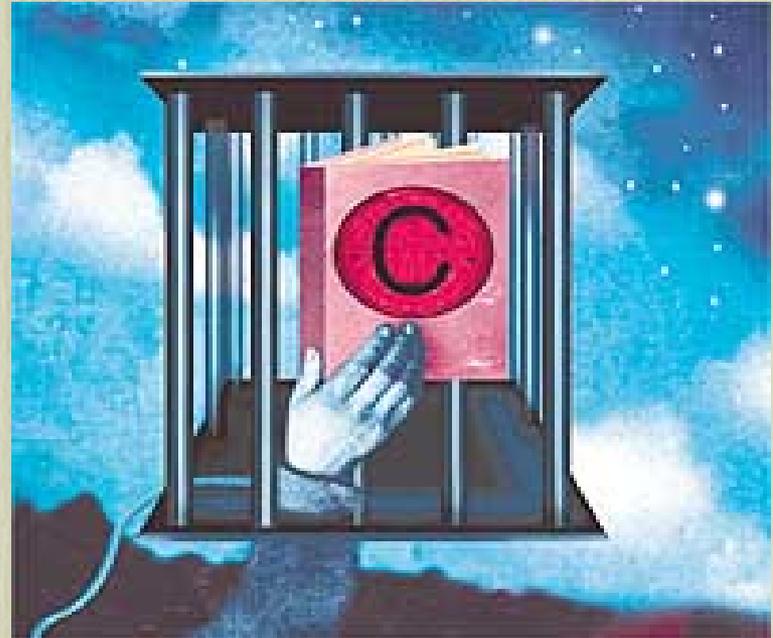


*Yours truly
Frederick Douglass*

- Harvard
- Stanford
- Oxford
- New York Public Library
- University of Michigan
- University of Wisconsin
- University of Virginia
- University of California System

The Copyright Issue

- Is the very scanning of the copyrighted works (post-1923) a violation of Sec. 106, the rights reserved for copyright holders?
- Does the fact that Google will only be presenting post-1923 works in “snippets,” much like KWIC searches via Lexis/Nexis, qualify the use as “fair” under Sec. 107?



A Snippet

- Google promises that all works published since 1923 will only reach users as “snippets” so they will have no access to the entire text.
- This includes public domain works like US laws.

The screenshot shows a web browser window with the address bar containing the search query "copyright law" "government printing office" - Google Book Search. The search results page displays the title "Copyright Law of the United States of America" by United States - Copyright Office, Library of Congress. It indicates there are 3 references to the search terms in the book. The first reference is a large yellow-highlighted title "Copyright Law" on page 62. The second reference is a smaller snippet: "U.S. GOVERNMENT PRINTING OFFICE: 1960 O-527415". The third reference is a larger snippet showing pricing information: "1941-1943 (Bulletin 24) \$2.75. 1909-1954 Cumulative Index (Bulletins 17-20) \$1.75." Below this, it states: "Orders for all of the preceding publications should be addressed and remittances made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20540." A link "Where's the rest of this book?" is visible. On the left side, there is a "Buy this Book" section with links to Abebooks, Alibris, Amazon, and Frooodle. A "Table of Contents" window is also open, showing a list of chapters and page numbers. The browser's taskbar at the bottom shows the system clock as 1:44:05.

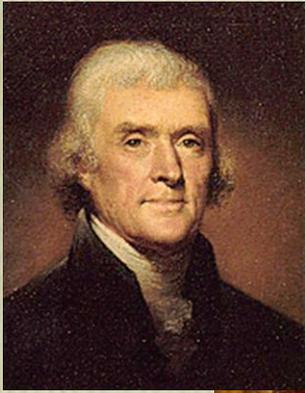
Lessig's Fair Use Defense

- Precedent: Kelly v. Arriba Soft (2002).
- Fair use is supposed to work to enable public goods in the face of market failure.
- Most of the works of the 20th century have no identifiable copyright owner (orphan works problem).
- Therefore, it would be prohibitively costly if not impossible for Google to clear the copyrighted works.



©Courtesy Woody Guthrie Archives

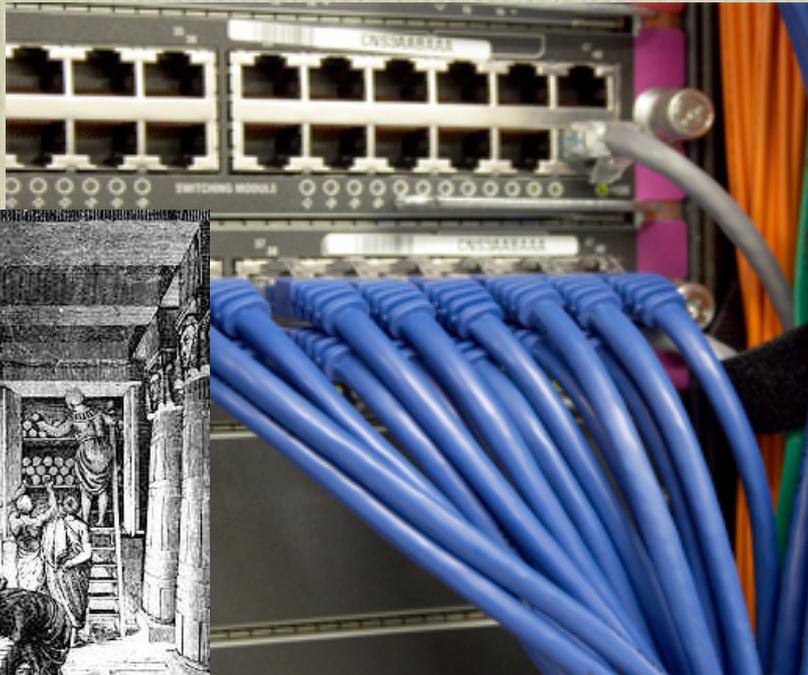
Lawrence Lessig:



- Google Book Search “could be the most important contribution to the spread of knowledge since Jefferson dreamed of national libraries. It is an astonishing opportunity to revive our cultural past, and make it accessible.”

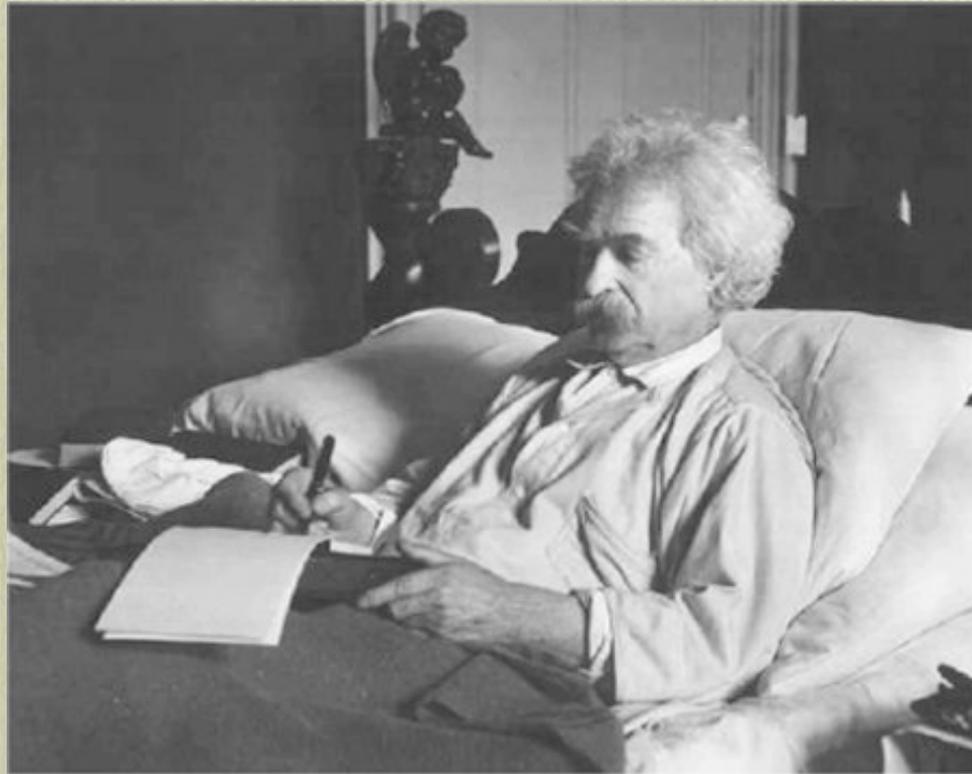
Kevin Kelly:

- “Might the long-heralded great library of all knowledge really be within our grasp?”



Ecological Relationships

- Author
- Reader
- Publisher
- Library



What Problems Might Google Book Search Solve?

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- Limited access to book learnin'.

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- Inclusion of books to Web searches.

Why should we be concerned?

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- Concern about user confidentiality for library use.

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- Frustration with students' research techniques.
- Concern about user confidentiality for library use.
- Concern about the concentration of power in Google.

A Search for "Copyright"

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 [Copyright, Its History and Its Law: its history and its law : being a summary of the principles... - Page 1](#)
by Richard Rogers Bowker - 1912 - 709 pages
Copyright, accordingly, may also mean the right its two in copy made (whether the original work or a dupli- senses cation of it), as well as the right to ...
Full view - [Table of Contents](#) - [About this book](#)

 [United States Copyright Office: Hearing Before the Subcommittee on the Subcommittee on Courts... - Page 1](#)
by the Internet, and Intellectual Property United States. Congress. House. Committee on the Judiciary. Subcommittee on Courts - 2001 - 27 pages
Today we are conducting an oversight hearing on the **Copyright** Office of the United States. The House Judiciary Committee is charged, as many of you know, ...
Snippet view - [About this book](#)

 [Universal Copyright Convention: An Analysis and Commentary - Page 1](#)
by Arpad, Bogsch - 1958 - 279 pages
Hence, the ambitious title "Universal Convention," "the desire to assure in all countries **copyright** protection" (first paragraph), and the striving for ...
Snippet view - [About this book](#)

 [Universal Copyright Convention Analyzed - Page 3](#)
edited by Theodore R. Kupferman, Mathew Foner - 1955 - 668 pages
He is a past secretary of the **Copyright** Society of the USA and a former Law Secretary to the Presiding Justice, Appellate Division, ...
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 [Universal Copyright Convention and Implementing Legislation: Hearings before a subcommittee of... - Page 1](#)

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[The World Almanac & Book of Facts, 1971.](#)
1970
Page 812
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[Encyclopedia of library and information science - Page 38](#)
by Allen Kent, Carolyn M. Hall, Jay E. Daily, Harold Lancour
In some countries, **copyright** is combined with legal deposit **law**, ... is held personally responsible for the loss of **books** and other library property; ...
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[Media law - Page 329](#)
by Rex S. Heinke - 1994 - 610 pages
Some federal courts have rejected the notion that injunctions under **copyright law** constitute prior restraints on protected speech. ...
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[Proposed Federal Motion Picture Commission: Hearings before the Committee on education, House of...](#) - Page 396
by United States. Congress. House. Committee on Education - 1926 - 467 pages
The only thing that is true in these statements of Mr. Connolly's is that the section would have no material effect upon the **copyright law** except to make it ...
Snippet view - [About this book](#)


[Copyrights and Copywrongs: The Rise of Intellectual Property and How It Threatens Creativity - Page 197](#)
by Siva Vaidhyanathan - 2003 - 272 pages
The most important recent historical revelations about early **copyright** can be found in a seminal **law** review article, Howard B. Abrams, "The Historic ...
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[Dictionary for Library and Information Science - Page 749](#)
by Joan M. Reitz - 2004 - 800 pages
A chart created by Mary Minow of [Law Library Resource Xchange \(LLRX.com\)](#) showing

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 **[Somewhere I'll Find You - Page 166](#)**
by Lisa Kleypas - 1996 - 384 pages
I'll go to hell before I let you or anyone else do the same to me." "So this has become an issue of what's been done to you?" Pauline asked, her voice ...
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 **[To Hell and Back: Race and Betrayal in the Southern Novel - Page 40](#)**
by Abernathy, Jeff - 2003 - 224 pages
I studied a minute, sort of holding my breath, and then says to myself: "All right, then, I'll go to hell"—and tore it up. (269—71) The moral language he ...
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 **[You Poor Monster: Or This Should Answer Your Questions, My Son - Page 126](#)**
by Michael Kun - Fiction - 2005 - 240 pages
But I doubt I'll go to Hell for that one little fib. Besides, even if I did go to Hell for it, there are probably different level of Hells, don't you think? ...
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 **[Handcuffed to a Ghost - Page 137](#)**
by Anna McKenzie - 2005 - 428 pages
"But if I miss Mass and something happens to me, I'll go to hell if I haven't been to confession. It's just not fair, is it?" Anna recognised the last ...
[Limited preview](#) - [About this book](#)

 **[The Family Man - Page 50](#)**
by Carl Leo - 1956
You go to hell your way and I'll go to hell my way. VINCENT. Do you think we need a cookie champion in the family? BILL. What's he talking about? ELLEN. ...
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 **[A Multitude of Mercies - Page 218](#)**

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 **[The Horizon History of the World in 1776 - Page 6](#)**
by Marshall B. Davidson - 1975
PROLOGUE TO THE PAST "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of ...
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 **[All the Rage: The Story of Gay Visibility in America - Page 9](#)**
by Suzanna Danuta Walters - 2003 - 356 pages
... IT WAS THE BEST OF TIMES ...
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 **[Learning Gnu Emacs - Page 93](#)**
by Eric S. Raymond, Bill Rosenblatt, Debra Cameron - Computers - 1996 - 557 pages
1 2 It was the best of times, it was the w\$it was the best of times, it was the wo\$ wisdom, it was the age of foolishness \$...
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 **[Review of Airline Deregulation and Sunset of the Civil Aeronautics Board \(the State of the... - Page 58](#)**
by United States. Congress. House. Committee on Public Works and Transportation. Subcommittee on Aviation - 1983 - 716 pages
[Statement referred to follows:] TESTIMONY OF HAROLD J. PARETI, MANAGING OFFICER, PEOPLE EXPRESS AIRLINES, INC. "It was the best of times, ...
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 **[The American Paradox: Spiritual Hunger in an Age of Plenty](#)**
by David G. Myers - 2001
... CHAPTER The Best of Times, the Worst of Times It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of ...
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 **[Expanding the Self Personal Growth for Teachers - Page 1](#)**
by Angelo V. Boy, Gerald J. Pine - 1971 - 127 pages
Perhaps the words of Dickens best describe the temper of the times: It was the

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 **Bush's Brain: How Karl Rove Made George W. Bush Presidential**
by James Moore, Wayne Slater - Political Science - 2004 - 416 pages
... **Karl Rove** ...
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 **Boy Genius: Karl Rove, the Brains Behind the Remarkable Political Triumph of George W. Bush**
by Lou Dubose, Jan Reid, Carl M. Cannon - 2003 - 256 pages
... at a time when **Karl Rove** was just becoming a national political player, ...
Rove was a stout figure, his blond hair combed straight back from a large ...
[Limited preview](#) - [Table of Contents](#) - [About this book](#)

 **The I Hate Dick Cheney, John Ashcroft, Donald Rumsfeld, Condi Rice... Reader: Behind the Bush... - Page 365**
edited by Clint Willis - 2004 - 419 pages
... -367 **KARL ROVE**: COUNTING VOTES WHILE THE BOMBS DROP JAMES C.MOORE-401 with a quote by **Karl Rove**; and cartoons by Gary Trudeau and Tom Toles **KARL** ...
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 **America's Nightmare: The Presidency of George Bush II - Page 103**
by John Stanton, Wayne Madsen - 2006 - 188 pages
As a 21-year old Young Republican in Texas, **Karl Rove** not only pimped for Richard Nixon's chief political dirty tricks strategist Donald Segretti but soon ...
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 **Take It Back: Our Party, Our Country, Our Future - Page 140**
by James Carville, Paul Begala - 2006 - 368 pages
"Official A," it was later revealed, was top Bush aide **Karl Rove**.5 That means the Bush White House lied to the American people. As the scandal was beginning ...
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[Reckless disregard: how liberal Democrats undercut our military, endanger our soldiers, and](#)

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Karl Rove
NYTimes.com presents the latest news on the political adviser
www.nytimes.com

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Why I Have Questions for Google

- Google has been reticent about details.
- Google's goal: "to organize the world's information and make it universally accessible."
- Google's informal motto: "Don't be evil."

Question One for Google

- What will be the guiding principles for inclusion, exclusion, and rank within the index?

Question Two for Google

- What will be scanned first? What order?

Question Three for Google

- What safeguards are you taking to ensure user confidentiality and privacy?

Question Four for Google

- What will be your metadata standards? Why would one book outrank another?

Question Five for Google

- Will you omit certain titles from the index if a government demands it? Or will you merely present snippets to indicate the book's existence?

Why I Have Questions for the Libraries

- Libraries all signed contracts that included nondisclosure agreements.
- University of Michigan and California contracts are subject to state open records laws.
- Unclear what libraries plan to do with the digital copies they receive from Google.

Question One for the Libraries

- Did you insist on assurances that Google would protect user confidentiality and privacy?

Question Two for Libraries

- Did you insist that Google's index include input from your librarians about quality control, order of inclusion, order metadata standards?

Question Three for Libraries

- Did Google restrict your use of the digital files in any way? (no obvious restrictions in Michigan contract).

Question Four for Libraries

- Did you consider the harm to the potential markets for publishers who have been selling and leasing digital files?
- What is the copyright justification for receiving an electronic copy as payment for a transaction?

Question Five for Libraries

- What's the hurry?

The Myth of Technological Neutrality

- Google is not neutral.
- Techno-optimism yields to technofundamentalism
- Google's search function is appropriate for the Web
 - Fast-growing, fast moving, ephemeral
 - Overtly intertextual

Discussion Questions

- Are “snippets” useful as a resource for research?
- Play around with Google Book Search. Is it set up effectively? Does it serve users well?
- Do you think these libraries got a good deal out of Google?
- Do you think the public will get a good deal out of the Google-Library deal?