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## **National Writers Union Calls for Renewed Action to Protect Writers' Rights Following Rejection of Google Books Settlement**

NEW YORK CITY: March 23, 2011 – "Judge Chin's decision that the Google Book Settlement was 'not fair, adequate and reasonable' gives the National Writers Union even more reason to pursue other means through Congress and the courts to protect and affirm writers' rights against this sort of corporate infringement," declared Larry Goldbetter, president of the NWU, the union of freelance writers. "Because writers' copyright infringement claims against Google have yet to be resolved, the NWU calls on Google to stop scanning without permission – now."

After seven years of Google digitizing books without the consent of the copyright holders, the only point that is clear is that the efforts of three parties – Google, the Authors Guild and the Association of American Publishers – to resolve the many issues involved were totally unsuccessful and left most matters yet to be decided, Goldbetter stated. NWU hopes that any future settlement talks will include other writers' groups like the NWU in addition to the Authors Guild, which, according to the judge, may have "antagonistic interests" with at least certain other writers. (Decision in *Authors Guild v. Google*, 05 CIV 8136 (DC 2011), p. 20) "The NWU looks forward to hearing from Google, the Association of American Publishers, and the Authors Guild about how they plan to broaden the negotiations to include all those who offered substantive objections to the settlement," added Goldbetter.

NWU agrees with Judge Chin's determination that certain matters covered by the proposed settlement should properly be decided by Congress, not the courts. The judge included in that category so-called "orphan works," books whose copyright holders are not easily ascertained, and rights of foreign authors and publishers, who expressed strong objections to the settlement.

NWU would add to the list for Congressional action the creation of a nationwide, publicly funded digital library, which the settlement sought to place in the hands of Google and unnamed, privately appointed representatives of the Authors Guild and the Association of American Publishers. NWU believes in general that Congress is better placed than the courts to protect authors against wholesale commercial piracy undertaken by Google. NWU notes that the proposed settlement and Judge Chin's opinion did not deal with the inherent conflict of publishers and authors over control of copyrighted books, a matter that should be addressed in sorely needed copyright reform legislation. As Judge Chin noted, citing a 25-year-old Supreme Court decision, it is "Congress's responsibility to adapt the copyright laws in response to changes in technology." (Decision in *Authors Guild v. Google*, p. 23)

"Whether in renewed and expanded settlement discussions or in Congress or both," Goldbetter stated, "the National Writers Union looks forward to working with our litigation partners, the American Society of Journalists and Authors and the Science Fiction and Fantasy Writers of America, to assure that the rights of writers to their works are fully and fairly protected."

*The National Writers Union ([www.nwu.org](http://www.nwu.org)) is the nation's only labor union and advocacy organization for freelance writers in all genres, media, and formats. In addition to print media writers, NWU represents electronic writers and editors of blogs, e-newsletters and web sites. NWU is affiliated with the United Auto Workers (UAW) and the AFL-CIO, and is headquartered in New York City.*