

## Google Book Search Settlement Agreement Remains in Limbo

New York Law School professor James Grimmelmann, working with a group of his dedicated law students [under the banner of "The Public Index,"](#) is providing an excellent synopsis of the *Authors Guild v. Google* litigation - particularly, to the objections raised regarding its settlement via [a free online 55 page pdf download.](#)

By first organizing the arguments into 76 distinct issues and then sorting those issues into 11 categories, their work is an excellent tool for those interested in this pending matter, particularly since they are organizing the arguments made and not providing their analysis of these issues. Very helpful. And, a handy document to have on hand while traversing through the online [Google Book Settlement](#) site.

### *Settlement at a Standstill*

As for what happens next, who knows. The case awaits its third federal judge, since the previously presiding Judge Chin was appointed to the appellate court and the first judge to hear the case, John Sprizzo, passed away.

### *Background on the Google Book Search Controversy*

Last fall, Google announced a revised book settlement had been reached between Google, Inc., the Authors Guild, and the Association of American Publishers. These parties collectively filed a revised settlement with the Clerk for the U.S. District Court for the Southern District of New York in mid-November 2009. (The filing occurred just minutes before the court-imposed Midnight deadline.)

### *What does it do?*

According to Google, the settlement cuts back on the books that Google will distribute electronically over the web via Google Book Search. Now, Google's only going to deal with books that were are (1) registered with the U.S. Copyright Office or (2) published in either Australia, Canada, or Great Britain. As for the "orphans," (where the copyright ownership of a book is unknown), the revenue from these works is protected in the agreement, going so far as to set up a guardian to act as fiduciary for the owners.

### *Read the Agreement as it Sets in Limbo*

Check out [Google Book Search](#) to see what the fuss is all about. Google has published its own [Google notice](#) about the "groundbreaking agreement" – the site provides the full text of the Settlement Agreement. Google also gives its own blow by blow about the new deal that was struck on November 19, 2009.

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