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Contact:

Marc Rotenberg
EPIC President
(202) 483-1140 x106
rotenberg@epic.org

EPIC URGES COURT TO REJECT GOOGLE BOOKS SETTLEMENT

Leading Privacy Organization Warns that Privacy Problems Cannot Be Fixed

WASHINGTON, DC – At a hearing in New York federal district court, Electronic Privacy Information Center (EPIC) President Marc Rotenberg urged Judge Denny Chin to reject the proposed Google Books settlement.

Mr. Rotenberg described how the proposed deal fails to protect readers' privacy while mandating collection of readers' sensitive, personal information.

"A person at any library or any university in the United States that attempted to retrieve information from Google's digital library would be uniquely tagged and tracked," Mr. Rotenberg warned. "There is simply no precedent for the creation of such power."

The hearing was held in *Authors Guild v. Google*, a lawsuit concerning Google's book-scanning project. Google and publishing companies seek to settle the suit, but privacy advocates, academics, and other experts have objected to the terms.

Judge Chin invited objectors to appear at the hearing, where Mr. Rotenberg said that the settlement would "turn upside down" well established safeguards for reader privacy, including: state privacy laws; library confidentiality obligations; and the development of techniques that minimize privacy intrusions.

In September 2009, EPIC moved to intervene in the case to protect readers' privacy interests. EPIC also filed formal, written objections to the settlement. EPIC's filing details how the proposed settlement "mandates the collection of the most intimate personal information, threatens well-established standards that safeguard intellectual freedom, and imperils longstanding Constitutional rights, including the right to read anonymously."

Google's failure to protect users' private data has also been the recent target of outrage concerning the company's "Buzz" service. Users and privacy experts widely criticized the search engine giant after it disclosed Gmail users' private address book contacts to the public.

EPIC is a public interest research center based in Washington, D.C. EPIC focuses public attention on emerging privacy and civil liberties issues, and maintains two of the world's most popular sites on privacy – EPIC.ORG and PRIVACY.ORG.

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RESOURCES:

The case is *Authors Guild et al v Google Inc.*, No. 05-08136 in U.S. District Court for the Southern District of New York.

EPIC's formal, written objections to the settlement are available at http://epic.org/privacy/googlebooks/epic_objections_signed.pdf

EPIC – Google Books and Privacy
<http://epic.org/privacy/googlebooks/default.html>

EPIC – Google Books Litigation
<http://epic.org/privacy/googlebooks/litigation.html>

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