



THE NEW ZEALAND
SOCIETY OF AUTHORS
(PEN NEW ZEALAND INC) TE PUNI KAITIHI O AOTEAROA

75 years of working for writers

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Society of Authors maintains the pressure on the Google Book Settlement

The New Zealand Society of Authors (PEN NZ Inc.) continues to be disappointed at the lack of commitment from the Government to support and protect New Zealand authors' copyright, in spite of openly stating the contrary earlier this year.

In a speech made by the Minister of Commerce at the Intellectual Property Design Competition prize-giving in April this year, the Honorable Simon Power said *"Artists, creators and inventors often take very big risks and invest considerable time, effort, and money to realise their dreams. The risks of disappointment and failure are high when other people choose to copy or download their work without permission and without compensating the artist or creator. The intellectual property system sets the standards for how people should regard and treat other peoples' intellectual property. It also acts as an incentive for artists and creators to keep the flow of new and creative ideas coming. I hope the intellectual property system may one day support many of you in realising your success. Also be aware that illegal use and copying of another person's intellectual property can cause significant harm to them. This Government is committed to ensuring robust protection of intellectual property"*

However, in a letter to the New Zealand Society of Authors (PEN NZ Inc.) dated 9 September 2009, the same Mr Power appears to support the copying of New Zealand books by Google without permission *"I am advised that the proposed Google Book Settlement represents a significant accomplishment. At its own expense and risk, Google has entered into an agreement to scan millions of books to create a library of unprecedented dimensions."* In fact, it has now become apparent that there is very little if any risk involved for Google. The Society's President Tony Simpson notes *"There is no guarantee what Google will have to pay and New Zealand authors have to take the exchange rate risk anyway as it's all expressed in US dollars. But, if you step back, what you can see is that Google created an effective World-wide monopoly over pre January 2009 book rights for chump change. What happened to the Government's commitment to the protection of intellectual property?"*

The German and French Governments, among many others, filed objections to the Settlement, which, together with a European Commission inquiry, has forced Google to make significant concessions in its treatment of European authors' works (see <http://bit.ly/bUgmp>). *"It is disappointing that the New Zealand Government doesn't have the same level of commitment to its own authors,"* says Tony Simpson. *"Even if similar changes were made for New Zealand authors, we would be disadvantaged compared to US authors, and our rights are still being overridden, but at least it would put us on a level playing field with Europe"*.

The New Zealand Society of Authors (PEN NZ Inc.) will continue to lobby the Government until they step up to assist us protect the copyright in every book ever published in New Zealand before January 2009.

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