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Attorneys for Defendant Google Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

ECF Case

THE AUTHORS GUILD, INC., Associational Plaintiff, BETTY MILES, JOSEPH GOULDEN, and JIM BOUTON, on behalf of themselves and all other similarly situated,

Civil Action No. 05 CV 8136 (DC)

GOOGLE INC.,

v.

Defendant.

Plaintiffs,

DECLARATION OF HAL PORET IN SUPPORT OF GOOGLE INC.'S OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

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I, Hal Poret, declare as follows:

I am Senior Vice President at ORC International. If called upon to testify, I would testify competently to the matters set forth herein.

1. Through its attorneys, Durie Tangri LLP, Google retained me to design and conduct a survey among published authors.

2. The purpose of the survey was to determine the extent to which members of the proposed class object to Google's scanning of books and display of short excerpts in Google Books search results and the extent to which they believe they have been negatively impacted by these actions.

3. Attached hereto as Exhibit 1 and Appendices A-F is an expert report I have prepared that sets forth my qualifications and that sets forth the methodology and results of the survey.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 6, 2012 in New York, New York.

Hallort

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EXHIBIT 1

EXPERT REPORT OF HAL PORET

SURVEY OF PUBLISHED AUTHORS REGARDING GOOGLE BOOKS

REPORT PREPARED FOR: Durie Tangri L.L.P. 217 Leidesdorff Street San Francisco, CA 94111 Attorneys for Google Inc.

PREPARED BY: Hal Poret ORC International 625 Avenue of the Americas New York, NY 10011

January, 2012

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BACKGROUND AND PURPOSE

In connection with its Google Books program, Google, Inc. ("Google") scans books so that their content can be searched online and results displayed in Google Books searches. If Google does not have the permission of the copyright owner of a book, at most short excerpts of the book are viewable in Google Books search results.

A group of published authors, Betty Miles, Joseph Goulden, and Jim Bouton, along with The Authors Guild, Inc. (collectively "plaintiffs") have filed a lawsuit against Google with respect to Google's scanning of books and display of short excerpts in Google Books search results without permission of the copyright owner. Miles, Goulden and Bouton seek to represent a class of published authors who own a copyright interest in one or more books that were registered with the U.S. Copyright Office within three months of first publication.

Through its attorneys, Durie Tangri LLP, Google retained me to design and conduct a survey among published authors. The purpose of the survey was to determine the extent to which members of the proposed class object to Google's scanning of books and display of short excerpts in Google Books search results and the extent to which they believe they have been negatively impacted by these actions. This report details the methodology and results of the survey.

STUDY AUTHORSHIP AND QUALIFICATIONS

This study was designed, supervised, and implemented by ORC International under the supervision of Hal L. Poret, Senior Vice President.

I have personally designed, supervised, and implemented over 400 surveys measuring perception, opinion, and behavior. I have personally designed numerous studies that have been admitted as evidence in legal proceedings, and I have been accepted as an expert in survey research on numerous occasions by U.S. District Courts, the Trademark Trial and Appeal Board, the FTC, and the National Advertising Division of the Council of Better Business Bureaus (NAD).

I have frequently spoken at major intellectual property and legal conferences on the topic of how to design and conduct surveys that meet legal evidentiary standards for reliability, including conferences held by the International Trademark Association (INTA), American Intellectual Property Law Association, Practicing Law Institute, Managing Intellectual Property, Promotions Marketing Association, American Conference Institute, and various bar organizations.

In addition to my survey research experience, I hold bachelors and masters degrees in mathematics and a J.D. from Harvard Law School. Additional biographical material, including lists of testimony and publications, is provided in Appendix A.

net

Hal Poret

Dated: February 6, 2012

STUDY DESIGN

- A total of 880 published U.S. authors were interviewed in this study.¹ Among these:
- 756 were interviewed via telephone
- 124 were interviewed via an email invitation to an online survey.

The telephone and online interviews both served the same central objectives -- to determine the extent to which published authors: (1) object to or approve of Google's scanning of books so that short excerpts of content can be displayed in Google Book search results; and (2) believe that they are financially impacted or that the market/demand for their books is impacted by this aspect of Google Books.²

Telephone Interviews

A total of 756 respondents participated in the telephone interviews.

Telephone interviewers began each call by asking for a specific author by name and, whenever a title of one of their books was known, the interviewer included a book title:

Hello, is [INSERT AUTHOR'S NAME] the author of [INSERT BOOK TITLE, IF AVAILABLE] available?

I am calling on behalf of ORC International, a market research firm. We're conducting a study among authors and I'd like to include the opinions of [INSERT AUTHOR'S NAME], author of [INSERT BOOK TITLE, IF AVAILABLE].

Authors were first asked a few questions for screening and classification.

First, we have just a few questions for classification reasons. In what state do you currently reside?

¹ <u>See</u> Relevant Universe and Sampling sections below for more specific information on how respondents were identified and selected for participation in the survey.

² <u>See</u> Relevant Universe and Sampling section below for more specific information on the telephone and online methodology.

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Respondents who do not reside in the U.S. were thanked and terminated. Next, respondent were asked:

For classification purposes, please tell us your age?

Then, respondents were prompted:

Thank you for answering those classification questions.

How many books have you had published?

Respondents who did not have any published books were thanked and terminated.

If they had one or more published books respondents were asked either:

What is the name of your published book?

Or,

What is the name of your most recently published book?

Then, depending on how many published books they have, respondents were asked either:

Is your published book currently in print?

Or,

Are any of your published books currently in print?

Next, depending on how many published books they have, respondents were asked:

Is your published book currently available as an electronic book, also called an E-Book?

Or,

Are any of your published books currently available as an electronic book, also called an E-Book?

Respondents were then asked one of the following, again depending on whether they have one or more than one published book:

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We'd like to ask you a few brief questions about the copyrights to your published book. If for any question you are not sure of the answer, its okay to say so.

Do you receive, or are you entitled to receive royalties from your published book?

Or,

We'd like to ask you a few brief questions about the copyrights to your published books. If for any question you are not sure of the answer, it's okay to say so.

Do you receive, or are you entitled to receive royalties from any of your published books?

Respondents who have more than one published book and answered "yes," to receiving royalties were then asked:

For how many of your published books do you receive or are you entitled to receive royalties?

All respondents were next asked either:

Do you personally own the copyrights to your published book?

Or,

Do you personally own the copyrights to any of your published books?

Respondents who have more than one published book and answered, "Yes" to owning the copyrights were then asked:

How many of your published books do you own copyrights to?

The next section of the interview addressed the main issue of the survey – respondents' perceptions of and opinions regarding the relevant aspect of Google Books.

All respondents were then instructed:

Now we would like to ask you a few questions about something called Google Books.

Followed by:

Have you ever heard of Google Books?

All respondents who answered, "Yes," they have heard of Google Books were then asked:

How familiar are you with Google Books?

Respondents were provided a familiarity scale: not at all familiar, somewhat familiar, very familiar, and extremely familiar. The order of the scale from increasing familiarity to decreasing familiarity was randomized so that half of respondents were presented a scale starting with "not at all familiar," and ending with "extremely familiar," and half of respondents were presented a scale starting with "not at all familiar."

Respondents who indicated they were at least somewhat familiar with Google Books were then asked:

What, if anything, can you tell us about Google Books?

To ensure that all respondents had a basic understanding of the aspect of Google Books that is relevant to the survey (scanning of books and display of short excerpts in search results), all respondents were then given the following description of Google Books:

As you may or may not know, Google scans books so that their content can be searched online and results displayed in Google Books.

We'd like to ask your opinion about one particular aspect of Google Books.

For some books, short excerpts of a book – about one-eighth of a page each -- are viewable in Google Books search results. A user who performs a search can see up to three short excerpts of the book containing the relevant search terms. A user can also click on a link to find the book in a bookstore or library. This scanning of books and displaying of short excerpts in search results is what we would like to ask you about.

This description was followed with:

For some <u>other</u> books, the <u>full</u> book or longer portions of a book are viewable in response to searching Google Books, with special permission from the publisher or author. Our questions are <u>not</u> about the display of full books or longer portions.

Then respondents were asked if they understood this description:

Again, we would <u>only</u> like to ask you specifically about the display of short excerpts about one-eighth of a page – as search results.

Do you understand that explanation or would you like to hear it again?

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Respondents who indicated they would like to hear it again were read the description one more time and then asked again if they understood it. Respondents who did not understand the description after it was read a second time were thanked and terminated.

Then, all respondents were instructed:

Now we would like to ask you your opinions regarding Google scanning copyrighted books so that they can be searched online and short excerpts displayed in search results. Again, our questions are <u>only</u> about the display of short excerpts – about one-eighth of a page -- as search results.

All respondents were then asked:

To your knowledge, are any of your books searchable in Google Books and the results available <u>only in short excerpts</u>? If you don't know, please say so.

Followed by:

We'd like to know the extent to which you approve of or object to Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results.

Using the following scale, please tell us how strongly you approve of or object to Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Strongly object Somewhat object Neither approve nor object Somewhat approve Strongly approve

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The order in which "object" came before "approved" was randomized in both the question text and in the order of the response options, so that half of respondents were always presented with "approve" first and half of respondents were always presented with "object" first.

All respondents were then asked two series of questions to determine their opinion on how, if at all, they believe the relevant aspect of Google Books has impacted them (or would impact them.) Respondents who previously answered that their books <u>are</u> searchable in Google Books and available only in short excerpts and respondents who answered that their books are <u>not</u> searchable or don't know were asked slightly different versions of these questions, befitting their differing situations.

Respondents who had previously answered that their books <u>are</u> searchable in Google Books and available only in short excerpts were asked:

Which of the following best represents your opinion as to how, if at all, you have been financially impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

- 1. I feel I have financially benefitted
- 2. I feel I have been financially harmed
- 3. I feel I have not been financially impacted one way or the other

The order of the first two response options was randomized so that half of respondents were presented with "financially benefitted" first and half of respondents were presented with "financially harmed" first.

Respondents who had previously answered that their books were <u>not</u> searchable in Google Books or that they did not know if they were searchable, were instead asked the following alternate version: Which of the following best represents your opinion as to how, if at all, you would be financially impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

- 1. I feel I would financially benefit
- 2. I feel I would be financially harmed
- 3. I feel I would not be financially impacted one way or the other

The order of these first two response options was also randomized so that half of respondents were presented with "financially benefit" first and half were presented with "financially benefit" first and half were presented with "financially harmed" first.

All respondents who answered that they have financially benefitted or would financially benefit were then asked either:

What makes you feel you have financially benefitted from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Or,

What makes you feel you would financially benefit from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Meanwhile, all respondents who answered that they have been or would be "financially harmed" were asked either:

What makes you feel you have been financially harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Or,

What makes you feel you would be financially harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Next, respondents who had previously answered that their books <u>are</u> searchable in Google Books and available only in short excerpts were asked:

Which of the following best represents your opinion as to how, if at all, the demand for your book has been impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

- 1. I feel the demand for my book has improved
- 2. I feel the demand for my book has been harmed
- 3. I feel the demand for my book has not been impacted one way or the other

The order of these first two response options was randomized so that half of respondents were presented with "improved" first and half of respondents were presented with "harmed" first.

Respondents who previously answered that their books were <u>not</u> searchable in Google Books or that they did not know, were instead asked:

Which of the following best represents your opinion as to how, if at all, the demand for your book would be impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

- 1. I feel the demand for my book would improve
- 2. I feel the demand for my book would be harmed
- 3. I feel the demand for my book would not be impacted one way or the other

The order of these first two response options was also randomized.

All respondents who answered that the demand for their book has improved or would improve were then asked either:

What makes you feel the demand for your book has improved from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Or,

What makes you feel the demand for your book would improve from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Meanwhile, all respondents who answered that the demand for their book has been or would be "harmed" were then asked either:

What makes you feel the demand for your book has been harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Or,

What makes you feel the demand for your book would be harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

Lastly, all respondents were asked:

To your knowledge, was a copyright registration filed within 3 months of the publication of <u>any</u> of your books? If you are not sure, it's okay to say so.

Followed by:

Do you believe you would know how to find out whether or not a copyright registration was filed within 3 months of the publication of <u>any</u> of your books?

Online Interviews

A total of 124 respondents were interviewed online after clicking a link included in a survey invitation sent to their email address.

Respondents taking the online survey were provided the same instructions and asked the same questions as the telephone respondents, described above. The survey was identical except for minor adjustments in the wording of instructions where appropriate to accommodate the different format. For example:

1. The introduction to the online survey was adjusted to read as follows:

We are conducting a short survey among authors. If you have published a book then we would like to ask you a few questions. The survey will take less than 5 minutes of your time. Please select "continue" to move on to the survey.

 In the online survey, gender was asked in the screening section, whereas in the telephone survey the interviewer merely recorded the gender without asking.

See Appendix B for the full questionnaire used in the survey.

SUMMARY OF KEY FINDINGS

- More than half of authors, 58%, approve of Google scanning their copyrighted books so that they can be searched online and short excerpts displayed in search results. An additional 28% neither approve nor object. Fourteen percent of authors object.
- Regarding the perceived benefit versus harm from Google scanning their copyrighted books so they can be searched online and short excerpts displayed in search results:
 - a. 74% of authors do not believe they have been (or would be) financially impacted one way or the other; 19% believe they have financially benefitted or would financially benefit; and 8% believe they have been or would be financially harmed.
 - b. 51% of authors do not believe the demand for their books has been (or would be) impacted one way or the other; 45% believe the demand for their books has improved or would improve; and 4% believe demand for their books has been or would be harmed.

<u>See</u> Detailed Findings section below for additional information on results. The full data will be provided in electronic form.

METHODOLOGY

THE RELEVANT UNIVERSE OF INTEREST

The relevant universe for the survey was defined as any published author within the United States.³ A list of published authors was obtained from Gale, "a leader in e-research and education publishing for libraries, schools and businesses. The company creates and maintains more than 600 databases."⁴ The list consisted of living authors from the Gale Contemporary Authors database. It included over 142,000 authors.

Many of the authors on the list had mailing addresses which allowed us to determine that they reside within the U.S. All authors whose contact information indicated they did not reside in the U.S. were removed from the list before dialing. Additionally, to ensure authors were based in the U.S. and for other classification reasons, the following screening questions were asked:

In what state do you reside?

Respondents who did not answer with a U.S. state were thanked and terminated. All other respondents were then asked their age, followed by:

How many books have you had published?

Respondents with zero published books were thanked and terminated from the survey. Others continued on to the main survey questions.

³ The proposed class is limited to published authors who registered a book with the US Copyright Office within three months of publication. While the results among all authors interviewed are included in this report, the survey did attempt to determine whether the respondent had registered a book within three months of publication so that the results among those that had could be specifically examined.

⁴ <u>http://www.gale.cengage.com/about/</u>

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It is common to screen out respondents who might have special knowledge due to their employment, such as respondents who may work at Google. No such screening questions were included at the beginning of the survey. Instead, the following question was asked at the end of the survey:

Do you or does anyone in your household work in any of the following?

- 1. Google
- 2. US Government
- 3. Any Local, State or Federal Courts
- 4. None of these

This question was asked at the end of the survey instead of the beginning in order to avoid biasing the respondents prior to answering the survey questions.⁵

The actual wording of all screening and classification questions used is shown in Appendix B.

⁵ Out of the total 880 respondents, 1 indicated they or someone in their household works for Google, 16 indicated they or someone in their household works for the US Government, and 5 indicated that they or someone in their household works for either a Local, State or Federal Court. Removing these respondents would not change the survey findings.

SAMPLING PLAN

The sampling plan involved reaching as many published U.S. authors from the Gale list as possible. As mentioned in the Relevant Universe section of this report, the list of authors used in the survey was provided by Gale, and contained the names of over 142,000 authors. Of these records:

- 50,496 included a physical address for the author's home and/or office
- 4,135 included an email address
- 2,503 included the title of at least one book, but had no physical or email address
- 69,427 included a name and usually a birthdate, but no contact information

In order to reach as many and as representative a group of authors as possible, the survey was conducted by both telephone and online.

Both telephone and online surveys are well-accepted in the field of survey research as standard, reliable methodologies. Indeed, online surveys are now among the most common methods of conducting market research among consumers. Businesses and other organizations routinely make decisions of importance based on the results of telephone and online survey research, and both types of surveys have been accepted in evidence in numerous U.S. District Court proceedings.

Opinion America, a professional telephone/online interviewing organization, conducted a clerical search to obtain phone numbers or additional email addresses for as many U.S. authors on the list as possible. Multiple attempts were made to reach all U.S. Authors for whom a phone number or email address was obtainable.

Ultimately 756 respondents were interviewed via telephone and 124 participated in the online version of the survey by clicking on a link in the email invitation that brought them to a website where the online survey was hosted.

Since it is typically far more feasible to obtain a phone number or email address for individuals for whom some contact information (such as a mailing address) was provided, the majority of respondents included in the study are authors whose mailing or email address was included in the Gale database. To determine whether the focus on members of the list with contact information could bias the results, efforts were made to ensure that a sizable sub-sample of authors from the list who had no contact information in the Gale database was also included in the survey. Opinion America performed additional clerical searches to attempt to obtain phone numbers or email addresses for authors for whom no contact information was provided in the Gale database. In total, 109 of the total 880 respondents were from this sub-sample of authors with no contact information (all contacted via telephone). This sub-sample will be referred to herein as the No Contact Info Group. As discussed in more detail below, the survey results among the No Contact Info Group were generally consistent with the results among the majority of respondents for whom contact information was provided in the Gale database.

The list of authors from the Gale Contemporary Authors database included more older authors than younger authors. In addition, it was possible to obtain contact information for and reach more older authors, whereas younger authors were less likely to have available contact information and be reachable to participate in the survey. Accordingly, the final age distribution of respondents in the survey tends to be older, reflecting the actual population of authors in the list compiled by Gale. The final age distribution of respondents, in total and broken out by methodology, is as follows:

AGE	Total (Telephone & Online)	Telephone (Contact Information Group)	Telephone No Contact Information Sub-sample	Online
BASE:	880	647	109	124
			107	
Under 60	112 (13%)	49 (8%)	33 (30%)	30 (24%)
60-69	166 (19%)	100 (16%)	29 (27%)	37 (30%)
70 and older	537 (61%)	461 (71%)	43 (39%)	33 (27%)
Refused	65 (7%)	37 (6%)	4 (4%)	24 (19%)

While the set of authors surveyed more heavily represents older authors, the survey results were reasonably consistent among authors of various ages. As discussed in more detail below, the results among those under age 60 did not differ significantly from the results among those 60 and above. Accordingly, there is no reason to believe the survey results would have been meaningfully different if the demographics had been different.

DOUBLE-BLIND INTERVIEWING

The study was administered under "double-blind" conditions. That is, not only were the respondents kept uninformed as to the purpose and sponsorship of the study, but the service (Opinion America Group) involved in providing the sample and administering the online interviews was similarly "blind" with respect to the study's purpose and sponsorship.

INTERVIEWING PROCEDURES

For the telephone survey, screenings for eligibility and interviews were conducted from a central location telephone facility run by Opinion America Group. Respondents were screened and interviewed by well-trained and experienced professional telephone

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interviewers. All interviewers were briefed on the study by a supervisor and required to conduct practice interviews before beginning the survey. Throughout the assignment, tight control and supervision was maintained over all aspects of the interviewing. The survey instructions and questions were provided to Opinion America Group and programmed for CATI-Web interviewing. This means that all the questions and instructions automatically appeared on the interviewers' monitors and respondents' answers were recorded directly into the computer. My staff and I thoroughly checked the computer program before the launch of the study to determine that all the instructions and questions functioned properly. A member of my staff also listened in on interviews to ensure quality and validity of the survey. A portion of each interviewer's work was also monitored by an Opinion America supervisor.

Additionally, a representative from the interviewing facility regularly contacted an ORC International representative with progress reports and data updates. This allowed us to closely monitor and supervise the progress of the study.

Opinion America Group also programed and administered the online surveys. My staff and I thoroughly tested the programmed survey prior to any potential respondents receiving the invitation to participate in the survey.

DATA PROCESSING

Data was collected by Opinion America Group and made available to ORC International in Excel and SPSS format. The data set showing each respondent's answers to all questions will be provided in electronic form.

INTERVIEWING PERIOD

Telephone interviewing was conducted from December 9, 2011 through January 22, 2012.

Online interviewing was conducted from December 15, 2011 through January 16, 2012.

DETAILED FINDINGS

I. <u>Results Among All Authors Surveyed</u>

Approve vs. Object to Google Scanning Books and Displaying Short Excerpts

More than half of the authors interviewed (58%) approve of Google scanning their copyrighted books so that they can be searched online and short excerpts displayed in search results, compared to 14% who object. The remaining 28% neither approve nor object.

Q245 - Approve or Object	% of Authors	Margin of Error ⁶
BASE:	880	
Strongly approve	31%	3.1%
Somewhat approve	27%	2.9%
Approve total	58%	3.3%
Neither approve nor object	28%	3.0%
Somewhat object	6%	1.6%
Strongly object	9%	1.9%
Object total	14%	2.3%

This table shows the detailed results of how strongly authors approve or object:

Perceived Financial Impact

Most authors (74%) do not believe they have been or would be financially impacted one way or the other by the relevant aspect of Google Books. Of the remaining authors, more believe they have financially benefitted or would financially benefit (19%) than believe they have been or would be harmed (8%) from Google scanning their copyrighted books so they can be searched online and short excerpts displayed.

⁶ All margins of error are at the 95% confidence level.

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Q260/Q280 – Financial Impact	Total	Margin of Error
BASE:	880	
Financially benefitted	19%	2.6%
Financially harmed	8%	1.8%
Not impacted one way or the other	74%	2.9%

The following table separately shows the results among authors whose books are currently searchable in Google Books and available in short excerpts compared to the authors whose books are either not available or who do not know if their books are available (and were therefore asked how they "would be" impacted rather than how they have been impacted):

<u>Q260/Q280 –</u>	Authors Whose Books Are	Authors Whose Books Are Not Available or	T (1
Financial Impact	<u>Available</u>	Don't Know	<u>Total</u>
BASE:	121	759	880
Financially benefitted	13%	19%	19%
Financially harmed	7%	8%	8%
Not impacted one way or the other	80%	73%	74%

Perceived Impact of Demand for Books

Approximately half of authors (51%) do not believe the demand for their books has been or would be impacted one way or the other by Google Books' short excerpts. In total, 45% of authors believe Google scanning their books and making them available in short excerpts has improved or would improve the demand for their books, compared to only 4% who believe the demand for their books has been or would be harmed.

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Q270/Q290 – Impact of Demand on Books	Total	Margin of Error
BASE:	880	
Demand improved	45%	3.3%
Demand harmed	4%	1.3%
Not impacted one way or the other	51%	3.3%

The following table shows separately shows the results among authors whose books are currently searchable in Google Books and available in short excerpts compared to the authors whose books are either not available or who do not know if their books are available:

<u>Q270/Q290 –</u> Impact of Demand on Books	<u>Authors</u> <u>Whose Books</u> Are Available	Authors Whose Books Are Not Available or Don't Know	Total
BASE:	121	759	880
Demand improved	28%	48%	45%
Demand harmed	6%	4%	4%
Not impacted one way or the other	66%	48%	51%

II. <u>Results by Age</u>

Approve vs. Object to Google Scanning Books and Displaying Short Excerpts

Results for how strongly authors approve or object to Google scanning their books and showing short excerpts in search results are generally consistent by age of respondents.

The below table shows the percentage of authors, by age range, who approve or object to Google scanning their books so that they can be searched online and short excerpts displayed in search results:

Q245 - How Strongly	Under		<u>Age 70</u>	III (17
You Approve or Object	<u>Age 60</u>	<u>Age 60 to 69</u>	<u>and Older</u>	<u>Total⁷</u>
BASE:	112	166	537	880
Strongly approve	29%	33%	34%	31%
Somewhat approve	30%	28%	26%	27%
Approve total	58%	60%	60%	58%
Neither approve nor	27%	25%	28%	28%
object				
Somewhat object	7%	5%	5%	6%
Strongly object	8%	10%	7%	9%
Object total	15%	15%	12%	15%

More than half (58%) of authors under age 60 approve of Google scanning their books and displaying short excerpts in Google Book search results.

Perceived Financial Impact

Results for the perceived financial impact of Google scanning books and displaying short excerpts in search results are also generally consistent across age of authors.

The following table shows detailed results on their perceived financial impact by age range:

	Under		<u>Age 70</u>	
Q260/Q280 – Financial Impact	<u>Age 60</u>	Age 60 to 69	and Older	<u>Total⁸</u>
BASE:	112	166	537	880
Financially benefitted	19%	26%	16%	19%
Financially harmed	9%	10%	5%	8%
Not impacted one way or the other	72%	64%	79%	74%

⁷ Individual columns do not add up to the total column, because some respondents refused their age.

⁸ Individual columns do not add up to the total column, because some respondents refused their age.

Perceived Impact of Demand For Books

Results for authors' perceived impact on the demand of their books because of Google scanning books and displaying short excerpts in search results are also consistent across age.

The following table shows detailed results on the perceived impact on the demand for their books by age range:

<u>Q270/Q290 –</u>	Under Age		Age 70 and	
Impact of Demand on Books	<u>60</u>	Age 60 to 69	<u>Older</u>	<u>Total⁹</u>
BASE:	112	166	537	880
Demand improved	44%	49%	45%	45%
Demand harmed	5%	5%	3%	4%
Not impacted one way or the other	51%	45%	52%	51%

III. <u>Results Based on Prior Familiarity with Google Books</u>

Results are also generally consistent depending on respondents' level of prior familiarity with Google Books.

Approve vs. Object to Google Scanning Books and Displaying Short Excerpts

Results for how strongly authors approve or object to Google scanning their books and showing short excerpts in search results are mostly consistent across level of familiarity with Google Books.

⁹ Individual columns do not add up to the total column, because some respondents refused their age.

The below table shows the percent of authors, by level of familiarity with Google Books, who approve or object to Google scanning their books so that they can be searched online and short excerpts displayed in search results:

<u>Q245 – How Strongly You</u> <u>Approve or Object</u>	<u>Top 2 Box</u> (Very/Extremely <u>Familiar)</u>	<u>Somewhat</u> <u>Familiar</u>	<u>Not at all</u> <u>Familiar/Not</u> <u>Heard Of</u>	Total
BASE:	99	273	508	880
Strongly approve	42%	30%	30%	31%
Somewhat approve	26%	27%	26%	27%
Approve total	69 %	56%	56%	58%
Neither approve nor object	15%	30%	29%	28%
Somewhat object	6%	7%	5%	6%
Strongly object	10%	7%	10%	9%
Object total	16%	14%	14%	14%

While more than half (58%) of all respondents approve of Google scanning books and showing short excerpts in search results, approval is somewhat higher among authors who were already extremely or very familiar with Google Books (68%) than it is among authors who were less familiar. Rates of objecting to Google scanning books and showing search excerpts in search results were nearly identical among those who were more and less familiar with Google Books.

These figures indicate that the survey's description of Google Books was consistent with pre-existing perceptions of Google Books among authors who were already familiar with it, and that the description provided in the survey did not bias respondents one way or the other.¹⁰

¹⁰ If the survey's description of Google Books had been skewed to make it sound less objectionable, the set of respondents with little or no previous familiarity would have had higher rates of approval and lower rates of objection. This did not happen. If anything, there was a slight tendency toward the opposite, in that those who had the least familiarity with Google Books had slightly <u>lower</u> rates of approval. Since these were the respondents who were most reliant on the survey's description of Google Books, this indicates that the survey description of Google Books did <u>not</u> bias the results toward approval.

Perceived Financial Impact

Results regarding the perceived financial impact of Google scanning books and displaying short excerpts in search results are also consistent across varying levels of familiarity with Google.

The following table shows detailed results on their perceived financial impact by level of familiarity with Google:

<u>Q260/Q280 –</u> <u>Financial Impact</u>	<u>Top 2 Box</u> (Very/Extremely <u>Familiar)</u>	<u>Somewhat</u> <u>Familiar</u>	<u>Not at all</u> <u>Familiar/Not</u> <u>Heard Of</u>	Total
BASE:	99	273	508	880
Financially benefitted	13%	22%	18%	19%
Financially harmed	12%	8%	7%	8%
Not impacted one way or the other	75%	71%	75%	74%

As this table shows, the percentage of authors who believed they had been or would be financially harmed did not vary significantly based on prior familiarity with Google Books.

Perceived Impact of Demand For Books

Results regarding authors' perceived impact on the demand for their books because of Google scanning books and displaying short excerpts in search results are also consistent across varying levels of familiarity with Google.

The following table shows detailed results on their perceived impact on the demand for their books by authors' level of familiarity with Google Books:

<u>Q270/Q290 – Impact of</u> <u>Demand on Books</u>	<u>Top 2 Box</u> (Very/Extremely <u>Familiar)</u>	<u>Somewhat</u> <u>Familiar</u>	<u>Not at all</u> <u>Familiar/Not</u> <u>Heard Of</u>	<u>Total</u>
BASE:	99	273	508	880
Demand improved	40%	49%	44%	45%
Demand harmed	10%	4%	3%	4%
Not impacted one way or the other	50%	47%	53%	51%

As this table shows, the percentage of authors who believed the demand for their books had been or would be harmed did not vary significantly based on prior familiarity with Google Books.

IV. <u>Results for the No Contact Information Sub-sample</u>

Approve vs. Object to Google Scanning Books and Displaying Short Excerpts

Within the sub-sample of respondents for which the Gale database did not include contact information in the sample file, results for how strongly authors approve or object to Google scanning their books and showing short excerpts in search results are reasonably similar to the rest of the sample.

The below table shows the percentage of authors in the No Contact Information subsample compared to all other respondents, who approve or object to Google scanning their books so that they can be searched online and short excerpts displayed in search results:

Q245 – How Strongly You	No Contact Information	Respondents With Contact
Approve or Object	Sub-sample	Information
BASE:	109	771
Strongly approve	29%	32%
Somewhat approve	27%	27%
Approve total	56%	58%
Neither approve nor object	22%	29%
Somewhat object	9%	5%
Strongly object	13%	8%
Object total	22%	13%

As this table shows, levels of approval far exceeded levels of objection in the No Contact Information group, as they did in the overall sample. This confirms that the overall results were not meaningfully biased by over-representing authors who had contact information in the Gale database.

While the "Approval" levels are nearly identical in both groups, the Objection level was higher in the No Contact Information Sub-Sample by a statistically significant margin. The overall objection rate among all respondents was 14%. If this number were adjusted to reflect the fact that authors with no contact information composed approximately 55% of the list (as compared to only 12% of the survey), the overall objection level would go from 14% to 18%.

Perceived Financial Impact

Results regarding the perceived financial impact of Google scanning books and displaying short excerpts in search results are also reasonably consistent with the rest of the sample.

The following table shows detailed results on perceived financial impact for the No Contact Information Sub-Sample compared to all other respondents:

Q260/Q280 – Financial Impact	No Contact Information Sub-sample	Total (excluding No Contact Information Sub-sample)
BASE:	109	771
Financially benefitted	26%	18%
Financially harmed	9%	8%
Not impacted one way or the other	65%	75%

The differences between the percentages in each group who felt they were financially benefitted or harmed are small, and not statistically significant at the 95% confidence level.

Perceived Impact of Demand For Books

Similarly, results regarding authors' perceived impact on the demand for their books because of Google scanning and books and displaying short excerpts in search results are also consistent with the rest of the sample.

The following table shows detailed results on the perceived impact on the demand for their books for the No Contact Information Sub-Sample compared to all other respondents:

Q270/Q290 - Impact of Demand on Books	<u>No Contact</u> <u>Information</u> <u>Sub-sample</u>	Total (excluding No Contact Information Sub-sample)
BASE:	109	771
Demand improved	52%	44%
Demand harmed	4%	4%
Not impacted one way or the other	44%	52%

The differences between the percentages in each group who felt demand was improved or harmed are small, and not statistically significant at the 95% confidence level.

V. <u>Other Variables</u>

The data was also examined based on a number of other variables in order to determine if there were significant differences based on answers to various classification questions. Results were generally consistent between groups broken out by each of these variables:

- Authors with one published book versus those with more than one published book
- Authors whose published book is currently in print versus those whose books are not currently in print or who do not know
- Authors who receive royalties from their book versus those who do not receive royalties or who are not sure
- Authors who own the copyrights to their published book versus those who do not own copyrights or who are not sure
- Authors whose books are available as an E-Book versus those whose books are not available in E-Book or who do not know

See Appendix E for data analyzed based on these variables.

APPENDIX A

CURRICULUM VITAE OF STUDY'S AUTHOR

Hal L. Poret

(hal.poret@orcinternational.com; 212-329-1018; 914-772-5087)

Education

1998	 Harvard Law School, J.D., <i>cum laude</i> Editor/Writer – Harvard Law Record
	 Research Assistant to Professor Martha Minow
1995	S.U.N.Y. Albany, M.A. in Mathematics, summa cum laude
	Statistics
	 Taught calculus/precalculus/statistics
1993	Union College, B.S. in Mathematics with honors, magna cum laude
	Phi Beta Kappa
	Resch Award for Achievement in Mathematical Research

Employment

2004 -	 Senior Vice President, ORC International (formerly Guideline) Designed, supervised, and analyzed over 350 consumer surveys, including Trademark, Trade Dress, Advertising Perception, Fraud/Consumer Deception, Claims Substantiation studies, Damages, and Corporate Market Research Surveys Provided expert testimony at deposition and/or trial regarding survey research in over 40 U.S. District Court litigations and proceedings in front of TTAB, NAD and the FTC. Review and comment on third party surveys
2003 - 2004	 Internet Sports Advantage Developed and marketed proprietary internet sports product, and licensed trademark and intellectual property rights.
1998 - 2003	 Attorney, Foley Hoag & Eliot, Boston, MA Represented corporations and individuals in trademark, trade dress, advertising, product, and related legal disputes. Worked with survey experts in developing and using surveys as evidence in trademark, trade dress and advertising disputes. Advised clients in the selection, adoption, use, licensing, and protection of trademarks/trade dress; represented clients in trademark/trade dress litigations, administrative proceedings before the Trademark Trial and Appeal Board and United States Patent and Trademark Office, and domain name proceedings under the Uniform Domain-Name Dispute-Resolution Policy.

Testimony at Trial or by Deposition

2011	My Favorite Company v. WalMart	USDC Central District of CA
2011	Merck Eprova v. Brookstone	USDC Southern District of NY
2011	Wella, Inc. v. Willagirl LLC	USDC Southern District of NY
2011	Bauer Bros. v. Nike	USDC Southern District of CA
2011	Aviva Sports v. Manley	USDC District of Minnesota
2011	American Express v. Black Card LLC	USDC Southern District of NY
2011	Gosmile v. Dr. Levine	USDC Southern District of NY
2010	Nat'l Western Life v. Western Nat'l Life	USDC Western District of TX
2010	3M v. Mohan	USDC District of Minnesota
2010	Active Network v. EA Sports	USDC Central District of CA
2010	FIJI Water Co. v. FIJI Mineral USA	USDC Central District of CA
2010	Hansen Beverage v. CytoSport	USDC Central District of CA
2010	PeoplesBank v. People's United Bank	USDC District of CT
2010	Don Henley v. Charles Devore	USDC Central District of CA
2010	Pegasus v. Allscripts	USDC Middle District of FL
2010	Jelmar, Inc. v. Zep Commercial	USDC Northern District of IL
2010	Dollar Bank v. Emigrant Bank	USDC Western District of PA
2009	LG Electronics v. Whirlpool	USDC District of DE
2009	Farberware v. Meyer Marketing	USDC Southern District of NY
2009	NEC v. Ampad	USDC Southern District of NY
2009	GAP Inc. v. G.A.P. Adventures	USDC Southern District of NY
2009	Lumber Liquidators v. Stone Mntn	USDC Eastern District of VA
2009	CytoSport v. Vital Pharmaceuticals	USDC Eastern District of CA
2009	REDC v. NHA	USDC Southern District of CA

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2008	1800Contacts v. Lens.com	USDC District of UT
2008	Tokidoki v. Fortune Dynamic	USDC Central District of CA
2008	Brighton Collectibles v. Dynasty	USDC Southern District of CA
2007	Johnson & Johnson v. Perrigo	USDC Southern District of NY
2007	Johnson & Johnson v. Actavis Group	USDC Southern District of NY
2007	M.D. Skincare v. Bare Escentuals	USDC Southern District of NY
2007	Doctor's Associates v. QIP Holders	USDC District of CT
2006	S.C. Johnson v. BuzzOff Insect Shield	USDC Middle District of NC
2006	Wenger Corp. v. Stadium Chair	USDC Western District of TX
2006	Wenger Corp. v. Melhart Music	USDC Eastern District of TX
2006	Electrolux Home Care v. IMIG, Inc.	USDC Eastern District of NY

Presentations

<u>Measuring Consumer Confusion Through Online Surveys</u> (2011 Midwest IP Institute) (September, 2011)

<u>Online Surveys as Evidence in Trademark Disputes</u> (International Trademark Association Annual Conference, May 2011)

Managing Intellectual Property Trademark Roundtable (April 7, 2010)

<u>Recent Trends in Trademark Surveys</u> (Virginia State Bar Intellectual Property Conference, October 2009)

<u>Trademark Surveys in US Litigation</u> (presentation for International Trademark Association Annual Conference) (May 2009)

<u>How to Conduct Surveys for use in Trademark Disputes</u> (Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

<u>Trademark and Advertising Perception Studies for Legal Disputes</u> (Opinion Research Corporation Seminar, June 2008)

<u>Understanding Advertising Perception Surveys</u> (Promotions Marketing Association Annual Law Conference) (November 2007)

<u>Designing and Implementing Studies to Substantiate Advertising Claims</u> (American Conference Institute Claims Substantiation Conference, October 2007)

Surveys in Trademark and False Advertising Disputes (InfoUSA Webinar, June 2007)

<u>Measuring Consumer Perception in False Advertising and Trademark Cases</u>, (multiple presentations) (2007)

<u>Potential Errors to Avoid In Designing a Trademark Dilution Survey</u> (American Intellectual Property Association paper, April 2007)

<u>Consumer Surveys in Trademark and Advertising Cases</u> (presentation at Promotions Marketing Association Annual Law Conference) (December 2006)

<u>Use of Survey Research and Expert Testimony in Trademark Litigation</u>, (International Trademark Association Annual Conference, May 2006)

Survey Research as Evidence in Trademark/Trade Dress Disputes (multiple presentations) (2006)

<u>Using Surveys to Measure Secondary Meaning of Trade Dress</u>, Legal Education Seminar, Boston, April 2006

Publications/Papers

<u>A Comparative Empirical Analysis of Online Versus Mall and Phone Methodologies for</u> <u>Trademark Surveys</u>, 100 TMR 756 (May-June 2010)

<u>Recent Trends in Trademark Surveys</u> (paper for Virginia State Bar Intellectual Property conference, October 2009)

<u>Trademark Dilution Revision Act breathes new life into dilution surveys</u> (In Brief PLI website, June 2009)

The Mark (Survey Newsletter; three editions 2009)

<u>Hot Topics in Trademark Surveys</u> (paper for Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

The Mark (Survey Newsletter, 2008)

Trademark and Advertising Survey Report (Summer 2007)

<u>Avoiding Pitfalls in Dilution Surveys under TDRA</u> (AIPLA Spring Conference, Boston, May 2007)

Commentary

Comment on Hotels.com case (on TTABLOG.COM, July 24, 2009)

Comment on Nextel v. Motorola (on TTABLOG.COM, June 19, 2009)

<u>PLI All-Star Briefing Newsletter</u>, "What does the Trademark Dilution Revision Act mean for the future of Dilution Surveys?" (June 2009)

Can I Get By Without a Survey, Managing Intellectual Property (May 2009)

Professional Memberships/Affiliations

Senior Research Fellow at McCarthy Institute of IP and Technology Law's Center for Empirical Research in trademark Law

Council of American Survey Research Organizations

International Trademark Association

Promotions Marketing Association

National Advertising Division of Council of Better Business Bureaus

APPENDIX B

INSTRUCTIONS/QUESTIONNAIRES

<u>Programming note</u>: this questionnaire contains instructions for conducting the survey online or via telephone.

ONLINE VERSION: INTRO

We are conducting a short survey among authors. If you have published a book then we would like to ask you a few questions. The survey will take less than 5 minutes of your time. Please select "continue" to move on to the survey.

TELEPHONE VERSION: INTRO

Hello. Is [INSERT] the author of [pipe in book] available?

I am calling on behalf of ORC International, a market research firm. We're conducting a study among authors and I'd like to include the opinions of [INSERT AUTHOR'S NAME] [IF ABLE TO PIPE IN THE TITLE OF ONE OF THEIR BOOKS THEN INSERT, "author of, 'INSERT TITLE"].

SCREENER SECTION

BASE: EVERYONE

100. First we have just a few questions for classification reasons. In what state do you currently reside?
 [DROP DOWN MENU OF STATES WITH "OTHER US TERRITORY" & "NONE OF THESE" OPTIONS]
 [TERMINATE IF NONE OF THESE]

BASE: NON-TERMINATES

- 105. Are you... [IF TELEPHONE VERSION, RECORD GENDER, BUT DO NOT ASK] 1. Female
 - 2. Male

BASE: NON-TERMINATES

110. For classification purposes, please tell us your age. [ENTER 2 DIGIT NUMBER OR "REFUSE"]

BASE: NON-TERMINATES

117. Thank you for answering those classification questions.

How many books have you had published? [INSERT DROP DOWN MENU OF: 0,1,2,3,4,5,6,7,8,9,10 or more] [TERMINATE IF 0]

BASE: NON-TERMINATES

125. [IF Q117=1 ASK:] What is the name of your published book?

> [IF Q117=MORE THAN 1, ASK:] What is the name of your most recently published book?

[TEXT BOX]

BASE: ONE PUBLISHED BOOK (Q117=1)

126.

- Is your published book currently in print?
- 1. Yes
- 2. No
- 3. Not sure

BASE: ONE PUBLISHED BOOK (Q117=1)

127.

Is your published book currently available as an electronic book, also called an E-Book?

- 1. Yes
- 2. No
- 3. Not sure

BASE: MORE THAN ONE PUBLISHED BOOK (Q117= MORE THAN ONE)

128.

Are any of your published books currently in print?

- 1. Yes 2. No
- 3. Not sure

BASE: MORE THAN ONE PUBLISHED BOOK (Q117=MORE THAN ONE)

129.

Are any of your published books currently available as an electronic book, also called an E-Book?

- 1. Yes
- 2. No
- 3. Not sure

BASE: ONE PUBLISHED BOOK (Q117=1)

We'd like to ask you a few brief questions about the copyrights to your published book. If 130. for any question you are not sure of the answer, its okay to say so.

Do you receive, or are you entitled to receive royalties from your published book?

- 1. Yes
- 2. No
- 3. Not sure

BASE: ONE PUBLISHED BOOK (Q117=1)

133.

Do you personally own the copyrights to your published book?

- 1. Yes
- 2. No
- 3. Not sure

BASE: MORE THAN ONE PUBLISHED BOOK (Q117=MORE THAN 1)

135. We'd like to ask you a few brief questions about the copyrights to your published books. If for any question you are not sure of the answer, its okay to say so.

Do you receive, or are you entitled to receive royalties from any of your published books?

- 1. Yes 2. No
- 3. Not sure

BASE: 135=1

137. For how many of your published books do you receive or are you entitled to receive royalties? [INSERT DROP DOWN MENU OF: 0,1,2,3,4,5,6,7,8,9,10 or more (ONLY DISPLAY OPTIONS EQUAL TO OR FEWER THAN WERE SELECTED IN Q117] (if respondent is not sure, select that option and record a verbatim response)

BASE: MORE THAN ONE PUBLISHED BOOK (Q117=MORE THAN 1)

- 138. Do you personally own the copyrights to any of your published books?
 - 1. Yes
 - 2. No
 - 3. Not sure

BASE: 138=1

How many of your published books do you own copyrights to? 139. [INSERT DROP DOWN MENU OF: 0,1,2,3,4,5,6,7,8,9,10 or more (ONLY DISPLAY OPTIONS EQUAL TO OR FEWER THAN WERE SELECTED IN Q117] (if respondent is not sure, select that option and record a verbatim response)

MAIN SURVEY

BASE: ALL QUALIFIED RESPONDENTS

200. Now we would like to ask you a few questions about something called Google Books.

BASE: ALL QUALIFIED RESPONDENTS

- 210. Have you ever heard of Google Books?
 - 1. Yes
 - 2. No
 - 3. Not sure

BASE: IF YES IN 210

- 215. How familiar are you with Google Books? [RANDOMIZE SCALE PRESENTATION SO THAT ½ THE TIME IT STARTS WITH 1 AND ½ THE TIME IT ENDS WITH 1]
 - 1. Not at all familiar
 - 2. Somewhat familiar
 - 3. Very familiar
 - 4. Extremely familiar

BASE: 215=2,3, or 4

217. What, if anything, can you tell us about Google Books? (record verbatim)

BASE: ALL QUALIFIED RESPONDENTS

220.

As you may or may not know, Google scans books so that their content can be searched online and results displayed in Google Books.

We'd like to ask your opinion about one particular aspect of Google Books.

For some books, short excerpts of a book – about one-eighth of a page each -- are viewable in Google Books search results. A user who performs a search can see up to three short excerpts of the book containing the relevant search terms. A user can also click on a link to find the book in a bookstore or library. This scanning of books and displaying of short excerpts in search results is what we would like to ask you about.

BASE: ALL QUALIFIED RESPONDENTS

223.

For some <u>other</u> books, the <u>full</u> book or longer portions of a book are viewable in response to searching Google Books, with special permission from the publisher or author. Our questions are <u>not</u> about the display of full books or longer portions.

BASE: ALL QUALIFIED RESPONDENTS

225. Again, we would <u>only</u> like to ask you specifically about the display of short excerpts – about one-eighth of a page -- as search results.

Do you understand that explanation or would you like to hear it again?

- 1. I understand
- 2. I'd like to hear the description again \rightarrow repeat 220, 223 and 225

(If does not understand after second explanation, terminate)

BASE: 225=1

235.

Now we would like to ask you your opinions regarding Google scanning copyrighted books so that they can be searched online and short excerpts displayed in search results. Again, our questions are <u>only</u> about the display of short excerpts – about one-eighth of a page -- as search results.

BASE: ALL QUALIFIED RESPONDENTS

240. To your knowledge, are any of your books searchable in Google Books and the results available <u>only in short excerpts</u>? If you don't know, please say so.

- 1. Yes they are
- 2. No they are not
- 3. Don't know

BASE: ALL QUALIFIED RESPONDENTS

245. We'd like to know the extent to which you either *(randomly rotate order of "approve of" and "object to" in question)* approve of or object to Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results.

Using the following scale, please tell us how strongly you (*keep order of "approve of" and "object to" same as above)* approve of or object to Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?

[If "approve of" comes first above, show order going from 5 to 1; if "object to" comes first above, show order going from 1 to 5]

- 1. Strongly object
- 2. Somewhat object
- 3. Neither approve nor object
- 4. Somewhat approve
- 5. Strongly approve

BASE: 240=1

260. Which of the following best represents your opinion as to how, if at all, you have been financially impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(Randomize order of top 2 choices)*

- 1. I feel I have financially benefitted
- 2. I feel I have been financially harmed
- 3. I feel I have not been financially impacted one way or the other

BASE: 260=1

265. What makes you feel you have financially benefitted from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(record verbatim/text box)*

BASE: 260=2

267. What makes you feel you have been financially harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(record verbatim/text box)*

BASE: 240=1

270. Which of the following best represents your opinion as to how, if at all, the demand for your book has been impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? (*Randomize order of top 2 choices*)

- 1. I feel the demand for my book has improved
- 2. I feel the demand for my book has been harmed
- 3. I feel the demand for my book has not been impacted one way or the other

BASE: 270=1

275. What makes you feel the demand for your book has improved from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(record verbatim/text box)*

BASE: 270=2

277. What makes you feel the demand for your book has been harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? (record verbatim/text box)

BASE: 240=2,3

280. Which of the following best represents your opinion as to how, if at all, you would be financially impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(Randomize order of top 2 choices)*

- 1. I feel I would financially benefit
- 2. I feel I would be financially harmed
- 3. I feel I would not be financially impacted one way or the other

BASE: 280=1

285. What makes you feel you would financially benefit from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(record verbatim/text box)*

BASE: 280=2

287. What makes you feel you would be financially harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(record verbatim/text box)*

BASE: 240=2,3

290. Which of the following best represents your opinion as to how, if at all, the demand for your book would be impacted by Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? (*Randomize order of top 2 choices*)

- 1. I feel the demand for my book would improve
- 2. I feel the demand for my book would be harmed
- 3. I feel the demand for my book would not be impacted one way or the other

BASE: 290=1

295. What makes you feel the demand for your book would improve from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? *(record verbatim/text box)*

BASE: 290=2

297. What makes you feel the demand for your book would be harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results? (record verbatim/text box)

BASE: ALL QUALIFIED

310. To your knowledge, was a copyright registration filed within 3 months of the publication of <u>any</u> of your books? If you are not sure, its okay to say so.

- 1. Yes
- 2. No
- 3. Not sure

BASE: 310=3

320. Do you believe you would know how to find out whether or not a copyright registration was filed within 3 months of the publication of <u>any</u> of your books?

- 1. Yes
- 2. No
- 3. Not sure

POST SCREENING SECTION

BASE: ANY NON-TERMINATES

400. Do you or does anyone else in your household work for any of the following? [RANDOMIZE ORDER]

- 1. Google
- 2. US Government
- 3. Any Local, State or Federal Courts
- 4. Neither of these [ANCHOR; EXCLUSIVE]

APPENDIX C

MATERIALS REVIEWED/FEES CHARGED

In the course of designing this survey, I reviewed the following materials: (1) 4th Amended Class Action Complaint; (2) Gale Contemporary Authors data; (3) Google Books Library Project Common Questions web page¹¹; (4) Google Books homepage¹²; (5) About Google Books page¹³; (5) Google Books webpage describing various views¹⁴; (6) Results of various Google Books searches; (7) Proposed Google Books Settlement Agreement (denied by Court)¹⁵. The fee for conducting the survey and preparing this report was \$100,000. Any additional time spent in connection with this matter will be billed at my ordinary rate of \$500/hr.

¹¹ http://books.google.com/googlebooks/common.html

¹² http://books.google.com/bkshp?hl=en&tab=wp

¹³ http://books.google.com/intl/en/googlebooks/about.html

¹⁴ http://books.google.com/intl/en/googlebooks/screenshots.html

¹⁵ http://www.googlebooksettlement.com/notice.html

APPENDIX D

DATA FILE (to be provided electronically)

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APPENDIX E

CROSS-TAB ANALYSIS OF DATA

Crosstables by Number of Published Books

Q245 – How Strongly You Approve or Object	Number of Put	Number of Published Books	
	1	More than 1	Total
Strongly object	6	71	77
	7.1%	8.9%	8.8%
Somewhat object	4	45	49
	4.7%	5.7%	5.6%
Total object	10	116	126
	11.7%	14.6%	14.3%
Neither object nor approve	27	218	245
	31.8%	27.4%	27.8%
Somewhat approve	28	205	233
	32.9%	25.8%	26.5%
Strongly approve	20	256	276
	23.5%	32.2%	31.4%
Total approve	48	461	509
	56.5%	58.0%	57.8%
Total	85	795	880
	100.0%	100.0%	100.0%

Q245 How Strongly You Approve or Object by the Number of Published Books

Q260/Q280 Financial Impact by the Number of Published Books

Q260/Q280 – Financial Impact	Number of Published Books		
	1	More than 1	Total
financially benefit	15	148	163
	17.6%	18.6%	18.5%
financially harmed	5	63	68
	5.9%	7.9%	7.7%
not be financially impacted one way	65	584	649
or the other	76.5%	73.5%	73.8%
Total	85	795	880
	100.0%	100.0%	100.0%

Q270/Q290 – Impact of Demand on Books	Number of Published Books		
azro/azo - impact of Demand on Books	1	More than 1	Total
demand improve	40	356	396
	47.1%	44.8%	45.0%
demand harmed			
	1	37	38
	1.2%	4.7%	4.3%
demand not impacted one way	44	402	446
or the other	51.8%	50.6%	50.7%
Total	85	795	880
	100.0%	100.0%	100.0%

Q270/Q290 Impact of Demand on Books by the Number of Published Books

Crosstables by Whether Or Not Books Are in Print

	Are Boo	Are Books in Print	
Q245 – How Strongly You Approve or Object	Yes	No or Not sure	Total
Strongly object	60	17	77
	9.0%	7.9%	8.8%
Somewhat object	41	8	49
	6.2%	3.7%	5.6%
Total object	101	25	126
	15.2%	11.6%	14.3%
Neither object nor approve	186	59	245
	28.0%	27.3%	27.8%
Somewhat approve	172	61	233
	25.9%	28.2%	26.5%
Strongly approve	205	71	276
	30.9%	32.9%	31.4%
Total approve	377	132	509
	56.8%	61.1%	57.8%
Total	664	216	880
	100.0%	100.0%	100.0%

Q245 How Strongly You Approve or Object by Whether Or Not Books Are In Print

Q260/Q280 Financial Impact by Whether Or Not Books Are In Print

0260/0290 Einensiel Impost	Are Books in Print		
Q260/Q280 – Financial Impact	Yes	No or Not sure	Total
financially benefit	141	22	163
	21.2%	10.2%	18.5%
financially harmed	62	6	68
	9.3%	2.8%	7.7%
not be financially impacted one way	461	188	649
or the other	69.4%	87.0%	73.8%
Total	664	216	880
	100.0%	100.0%	100.0%

0270/0200 Impact of Demand on Rocks	Are Books in Print		
Q270/Q290 – Impact of Demand on Books	Yes	No or Not sure	Total
demand improve	311	85	396
	46.8%	39.4%	45.0%
demand harmed	36	2	38
	5.4%	.9%	4.3%
demand not impacted one way	317	129	446
or the other	47.7%	59.7%	50.7%
Total	664	216	880
	100.0%	100.0%	100.0%

Q270/Q290 Impact of Demand on Books by Whether Or Not Books Are In Print

Crosstables by Whether Or Not Royalties Are Received

	Receivin	Receiving Royalties	
Q245 – How Strongly You Approve or Object	Yes	No or Not sure	Total
Strongly object	58	19	77
	8.2%	11.0%	8.8%
Somewhat object	39	10	49
	5.5%	5.8%	5.6%
Total object	97	29	126
	13.7%	16.9%	14.3%
Neither object nor approve	201	44	245
	28.4%	25.6%	27.8%
Somewhat approve	186	47	233
	26.3%	27.3%	26.5%
Strongly approve	224	52	276
	31.6%	30.2%	31.4%
Total approve	410	99	509
	57.9%	57.6%	57.8%
Total	708	172	880
	100.0%	100.0%	100.0%

Q245 How Strongly You Approve or Object by Whether Or Not Royalties Are Received

Q260/Q280 Financial Impact by Whether Or Not Royalties Are Received

		Receiving Royalties	
Q260/Q280 – Financial Impact	Yes	No or Not sure	Total
financially benefit	143	20	163
	20.2%	11.6%	18.5%
financially harmed	57	11	68
	8.1%	6.4%	7.7%
not be financially impacted one way	508	141	649
or the other	71.8%	82.0%	73.8%
Total	708	172	880
	100.0%	100.0%	100.0%

	Receiving Royalties		
Q270/Q290 – Impact of Demand on Books	Yes	No or Not sure	Total
demand improve	323	73	396
	45.6%	42.4%	45.0%
demand harmed	36	2	38
	5.1%	1.2%	4.3%
demand not	349	97	446
impacted one way or the other	49.3%	56.4%	50.7%
Total	708	172	880
	100.0%	100.0%	100.0%

Q270/Q290 Impact of Demand on Books by Whether Or Not Royalties Are Received

Crosstables by Whether Or Not Copyrights Are Owned

0245 Haw Strength Ven America of Object	Own the	Own the Copyrights	
Q245 – How Strongly You Approve or Object	Yes	No or Not sure	Total
Strongly object	58	19	77
	10.5%	5.8%	8.8%
Somewhat object	35	14	49
	6.4%	4.2%	5.6%
Total object	93	33	126
	16.9%	10.0%	14.3%
Neither object nor approve	147	98	245
	26.7%	29.7%	27.8%
Somewhat approve			
	153	80	233
	27.8%	24.2%	26.5%
Strongly approve			
	157	119	276
	28.5%	36.1%	31.4%
Total approve	310	199	509
	56.4%	60.3%	57.8%
Total	550	330	880
	100.0%	100.0%	100.0%

Q245 How Strongly You Approve or Object by Whether Or Not Copyrights Are Owned

Q260/Q280 Financial Impact by Whether Or Not Copyrights Are Owned

Q260/Q280 – Financial Impact	Own the Copyrights		
Q200/Q200 – Financiai impact	Yes	No or Not sure	Total
financially benefit	113	50	163
	20.5%	15.2%	18.5%
financially harmed	52	16	68
	9.5%	4.8%	7.7%
not be financially impacted one way	385	264	649
or the other	70.0%	80.0%	73.8%
Total	550	330	880
	100.0%	100.0%	100.0%

Q270/Q290 – Impact of Demand on Books	Own the Copyrights		
aziorazio – impact of Demand on Books	Yes	No or Not sure	Total
demand improve	246	150	396
	44.7%	45.5%	45.0%
demand harmed	23	15	38
	4.2%	4.5%	4.3%
demand not impacted one way	281	165	446
or the other	51.1%	50.0%	50.7%
Total	550	330	880
	100.0%	100.0%	100.0%

Q270/Q290 Impact of Demand on Books by Whether Or Not Copyrights Are Owned

Crosstables by Whether Or Not Available in E-Book

	Available	in E-BOOK	
Q245 – How Strongly You Approve or Object	Yes	No or Not sure	Total
Strongly object	30	47	77
	9.9%	8.1%	8.8%
Somewhat object	22	27	49
	7.3%	4.7%	5.6%
Total object	52	74	126
	17.2%	12.8%	14.3%
Neither object nor approve	87	158	245
	28.7%	27.4%	27.8%
Somewhat approve	78	155	233
	25.7%	26.9%	26.5%
Strongly approve	86	190	276
	28.4%	32.9%	31.4%
Total approve	164	345	509
	54.1%	59.8%	57.8%
Total	303	577	880
	100.0%	100.0%	100.0%

Q245 How Strongly You Approve or Object by Whether Or Not Available in E-Book

Q260/Q280 Financial Impact by Whether Or Not Available in E-Book

0260/0290 Einensiel Impect	Available in E-BOOK		
Q260/Q280 – Financial Impact	Yes	No or Not sure	Total
financially benefit	71	92	163
	23.4%	15.9%	18.5%
financially harmed	37	31	68
	12.2%	5.4%	7.7%
not be financially impacted one way	195	454	649
or the other	64.4%	78.7%	73.8%
Total	303	577	880
	100.0%	100.0%	100.0%

0070/0000 Impact of Demond on Decks	Available	in E-BOOK	
Q270/Q290 – Impact of Demand on Books	Yes	No or Not sure	Total
demand improve	138	258	396
	45.5%	44.7%	45.0%
demand harmed	21	17	38
	6.9%	2.9%	4.3%
demand not impacted one way	144	302	446
or the other	47.5%	52.3%	50.7%
Total	303	577	880
	100.0%	100.0%	100.0%

Q270/Q290 Impact of Demand on Books by Whether Or Not Available in E-Book

APPENDIX F

VERBATIM RESPONSES

Case ID	Q217: What, if anything, can you tell us about Google Books?
23	Nothing
26	Google Books provides online access to books that are in the public domain, and partial access to books under
20	current copyright. Books have links to purchasing options.
28	It publishes books electronically
34	Google, under the guise of rescuing 'orphan books' wants to amass a huge library of IP to which it has no right
39	On demand as ebooks or print.
40	convenient
41	An effort to make books available in digital form
51	it is a good source of quotations, but not a good source for using text for research purposes
65	have used it in research to locate and in the case of out of copyright download books
69	I know that parts of my books are available on GoogleBooks
84	It's an attempt to categorize a large database of printed material, especially out of print books.
87	You scan existing books and make them available as e-books
02	You can read much of my work on GB without paying me a royalty. My Russian colleagues are especially pleased by
93	this.
94	Very little.
95	I just know that Google entered the e-publishing field, but I don't know any details.
	Made arrangements to copy several million books from academic libraries. Ran into trouble with books still under
99	copyright. Law suit.
100	Nothing.
106	Only that they are competing with Amazon.
	That the idea was to put every book in print on the Internet as an ebook, and that there were major copyright
110	issues.
111	It an online book publisher
113	It is Google's entry into the electronic book field, in competition with Amazon and other providers.
116	Scans of books available to general public
117	google scanned hundreds of thousands of books and makes excerpts of them available on the internet
123	I use it a great deal in my historical and genealogical research.
124	I believe they are attempting to make many books available on line.
125	An electronic books store and a scanning public domain books site
	Google Books offer remarkable research opportunities because it's put so many older books online. It's also very
127	involved in a long lawsuit to keep it from simply helping itself to authors' copyrighted work.
131	A very little
134	Nothing
137	I believe that they scan books and make them available without paying royalties.
139	there was a copyright lawsuit against them.
149	Google's project to scan all printed books and make them available in digital form.
145	An effort to make books or portions of books available online, including complete books that are now out of
153	copyright. Worked in cooperation with some large academic libraries.
154	Program to offer book content thru Internet
157	They are available on line and I think some are in the Kindle Store
159	Mixed feelings
162	A project to digitize previously printed books
172	they are accessible over the net They put books online
174	
177	They put certain books onlinesome of the books I've seen are older books with expired copyright.
183	They're trying to get all the books ever printed online. There are copyright infringement questions here
185	Available through the Web, generally free
192	A lot of public domain books, with excerpts from a lot of copyrighted books
196	They're up and coming.
197	They are available online to read.
203	They're at attempt by Google to capitalize on the e-book market.

Case ID	Q217: What, if anything, can you tell us about Google Books?
205	Very good
206	useful wish I could cut and paste
209	Just that it is
213	They are photographic reproductions of old books, mostly from a few major research libraries (like Harvard, University of Wisconsin-Madison, etc.)
215	Google sells a lot of published books
216	Not much!
218	I work as an editor for a small press and regularly submit pdfs of our books to googlebooks
221	They are e-books put out by Google
224	Nothing
231	It allows readers to read portions or all parts of the book with an option to purchase.
234	It has digitized many books and is selling them on-line at prices negotiated with publishers. Public domain books are offered for free.
237	As a living writer who has written many real books (printed on paper and bound in cloth), I completely disapprove of Google's attempt to appear scholarly while it stole books from writers unable to protect themselvesluckily I have an agent!
238	Google Books has been expanding in an attempt to digitize millions of books. However, Google Books also offers access to journal and magazine articles. I personally have found Google Books extremely useful in my research.
243	Google Books is a project of Google to digitize as many print books as it possibly can and make them available online.
245	nothing
246	I use this resource for research all the time; my own books are partially available on Google Books
262	Google has started the process of digitizing the world's books.
	I have downloaded a few of them, I was just curious. I did download one. Dracula. It was interesting. There are
100001	some things that are interesting to have on your IPAD. I find it really quite a nice service. I love Google actually. I think with Google archives you're able to look up all sorts of things.
100002	I think they are books that authors publish and people buy them off of Google.
	They are useful for tracking down quotes. They are sometimes useful for tracking down information. I have no
100004	problem with them because as the website is now set up one cannot copy and paste from it and I hope it stays that way.
100009	Well they publish books electronically and they put them in hard copies.
100014	I know they publish authors books without authors consent chapters of my book are on Google.
100015	Google books is trying to have online a majority of published books on line out of copyright there's a controversy between interest of the public to read any books online and authors.
100016	I went to Google Books about I play and I was absolutely delighted to find it. It's a great service.
100017	I really don't know I just heard of it.
100018	Well it's their version of kindle. You can get electronic versions of books and read them on Google books.
100021	You can get the books without going to the library.
100026	If you want to order books you can order books from them.
100029	It has all the books online it can without violating the copyright.
100033	They have a program in your university library programming and copying books.
100039	The assumption that they scan work in the public domain.
100040	They're often old books. They are orphans meaning the author of the books cannot be found or they're out of copyright.
100041	Is a project to put published books on the web scanning them from university and other libraries intending to make money.
100042	I don't know very much about them I just heard of it.
100044	They wish to digitize books in libraries and books out of print so they would be avail online.
• •	It provide full texts of lots or books out of copyright.
100045	
100045	Books made available online by Google, some classics are online and there is tremendous controversies about
100045 100046	Books made available online by Google. some classics are online and there is tremendous controversies about infringement of copyright.
	Books made available online by Google. some classics are online and there is tremendous controversies about infringement of copyright. Nothing really I just heard of it.

Q217: What, if anything, can you tell us about Google Books?
I can not say anything about Google books.
They are searchable online. It pulls up anything once you put in a particular name.
A lot of them are ebooks. One of my publishers went through Google to get the book electronically. I get royalties
through that from the publisher.
I know no that much about it. I get information from Google but that's it.
A Google book is a median on the internet whereby you can download a number of pages from a designated book.
I don't know much about it really.
They seem to have a wide circulation which always helps the author.
I don't really know a lot about it I just heard of it.
It's a project to make books available online or e-books.
I've heard of it that's it. I think can use Google and get any book on it.
Google has a program they gone around universities they scanned some out of or still in copyright. They make the
book avail for read or purchase.
You can go on it but you have to pay for it if you want a full book.
I imagine that it is similar to electronic publishing by Amazon.
It's an electronic version of the books.
Google books is a service which provides access to books that no longer in copyright and books that are
copyrighted.
Google has made an effort to scan many of books so that they could be used for what ever purpose.
That they're attempting to electronically catalog the vast majority of books.
They are controversial because they tend to violate copyright laws.
I understand that there is a problem going on between Google and the authors.
That there is a big issue on what they can put on Google.
The books that I have are through Google and can read them. Sometimes I use them in my research and things that
are out of copyright. Occasionally they get small excerpts from the most recent books. I have used this also.
Heard of them but I don't really deal them.
I think that it is very useful. I also use them a lot. It an excellent way to get information.
Not much.
Digitalize many book. Trouble with author guide.
It's a way of publishing an e book.
Plan to do public domain books in Harvard library.
They were having problems with copyright and wanted to do all of Harvard's books.
Google trying to make books available that are out of copyright.
Attempt to scan all book and make them avail online.
Heard of it.
I think Google wants permission to publish books.
I know that they were trying to place books online to access.
Electronic books.
Google books is a enterprise that will take books and place them on the internet. They worked with the library of
congress and be able to digitize there books to make them available for people.
Copied a very large number of books.
I filled out author questionnaire to so I have the rights to royalties if you sold books on Google.
Can be emailed or purchased.
It is a pain in the neck because it only gives you 3 pages and/it skips to another section - I think it a problem for
researchers.
They have been digitizing out of print books - and want to digitize a lot of more recent ones.
It is a fine president as song as authors are protected.
It is a means of making books online.
It is a means of making books online. My understanding is that Google books is like the kindle. Electronic access to books.
It is a means of making books online.

Case ID	Q217: What, if anything, can you tell us about Google Books?
100162	As I understand Google is trying to download all the world's literature.
100164	I am all for those books if the author gives permission.
100165	It is basically digitized.
100167	Access electronically.
100168	They are very popular with a lot of people.
100169	Lawsuit with government.
100172	Nothing much I really do not understand what it is.
100174	Electronically available to anybody.
100176	It is a great service and I am very respectful but my books are not on Google Books.
100179	Not anything.
100180	Seen on computer.
100181	Practically nothing I just know that it exists.
100184	Not gotten anything positive.
100187	I found a lot of things that are of interest so I think it's pretty comprehensive sort of source.
	That's a project to make electronically available all published books that are not under copyright I assume. I
100188	don't know if that's correct or not.
	I find it a great resources for research purposes especially older books. I know people can look at my book and get
100199	snippets for research purposes but I am pretty sure my publisher asked for my permission. The exposure is worth it
100199	for me.
100209	They are a service that makes books available on their server.
100205	A electronic form of book might or might not be full text.
100210	Effort to digitize the libraries of the world and copyright rights.
100212	Is that a place where you can click on the internet to buy books.
100213	I think they're like kindle. You can look at it in small print.
100217	Not much.
100221	Not too much. They copy old books. Heard of them.
100226	
100233	I have used it in the past to do research. I was looking up something the other day.
100242	Not a lot. It's not been a priority for me at this time.
100244	I have many friends who are users.
100249	Virtually nothing.
100255	I just have seen the term but don't know what it is.
100259	It's just another way of electronic publication.
100262	No comment.
100270	It's a project to digitalize every book in existence. They're working with various universities to do it. They are using
	university libraries to do this.
100271	It's a great research for books on our early history. But many pages are left out of the books for one reason or
	another.
100274	I searched book on kindle. I downloaded a kindle .I was able to access a particular electronic book and read it. I
	think it was through Amazon
100277	Very little.
100278	A lot. It's an attempt to make available everything in print.
100280	As far as I know they make available portions of books electronically; if they find something interesting they can
100200	purchase it; also make books available in the public domain.
100281	I search the books on Google.
100284	Books appear in their entirety there sometimes.
100285	Their available online.
100288	It's a way accessing a large number of books electronically online. Some you pay a fee to access and some you don't.
	You can search for authors and it will give you a portion; snippet view of the book with older you can obtain the
100294	entire book.

Case ID	Q217: What, if anything, can you tell us about Google Books?
100299	They are available digitally and they do a good marketing job.
100301	Digitalize most of the books in the world.
100304	Following the legislation.
100305	Find books and some of there pages for research.
100306	Reissuing books in digital format.
100317	Nothing.
100329	I know Google is trying to put forth an effort to put books on the internet.
100332	I have sign up my books for royalties from Google and they would put them on the internet and every time they get a hit I get a royalty. Google would control the usage and royalties and I would get a royalty from them.
100340	I know that Google is attempting to put books online that were out of publish.
100342	It's an effort by Google to make available electronically the content of books in 6 American libraries.
100355	You scan books and make parts of them available to people.
100357	You can download my book if you want , you still have to pay for it.
100358	I have downloaded one or more books on Google.
100360	My students use them but can't tell you much beyond that.
100365	It handy because it's available to books out of print.
100367	I have gone to the site but never purchased anything.
100307	They are available as e-books and they can be downloaded some people think it's a good idea and some think it a
100368	bad idea.
100369	I know that you can look up books in short excerpts.
100376	Internet.
100379	I am aware of the controversy an used it.
100380	It has a project to digitize books and make them available and has objections from authors and have issues at the courts and they are going after books that are no longer copyrighted. If these books are digitized who has access to them is another issue.
100382	Digitize all books.
100386	Legal actions taken against Google.
100388	They are a digital version of books.
100390	They were suppose to pay me something but they didn't. They reproduce copies of books online.
100391	Download the book from Google.
100393	They are available on the internet out of copyright.
100394	I am assuming that they are internet books.
100395	Not much.
100396	They have a project for books in public domain. Legal issues with copyrights.
100400	Ran into it looking for citation count for books.
100400	It is nice to Google book resources online and the service is convenient.
100401	I know more about Tower.com then I do about Google books. I see Google books here and there but I don't know
100404	how it works.
	Well, they scan books and make them available, as I understand it, free on the internet. And, also, I think it depends
100411	if the book's in the public domain, if it is in the public domain, they make it free and if it's not, they sell it and give some of the royalty to the author.
100415	Not enough to describe it, I just know it's there.
100413	I use it myself, many more recently published books are not readily available because of the copy right law, more
100416	out circulation are.
100418	Retailer
100422	I use Google books to get access to books that are in the public domain through public libraries.
100423	Google has digitized older books.
100424	I haven't really used it and I believe that it is a search engine.
100426	Heard the name.
100420	
100428	It is a search component of the computer.

Case ID	Q217: What, if anything, can you tell us about Google Books?
100436	They allow you to download books that are in the public domain.
100437	Attempting to make every book available.
100440	If you're trying to find a phrase you just put it into the Google website and sometime you luck out. It is a research
100440	tool.
100447	Very valuable service.
100451	Not much.
100452	Read some of them a very valuable service pleased that they do this originally though they printed books that they
100452	did not have the copyrights for but I think they stopped doing this.
100458	Not interested really I write books that are art books the books I would like to see in print are government books.
100460	Tried to do research but did not get far - tried to find out if they should be paying me royalties.
100462	I guess it's sort of a kindle.
100463	Some of books are on there.
100465	Excellent source to help locate information for research and for authors.
100470	Think they can be downloaded. Libraries even in the city are now being able to loan e-books.
100477	I've looked up books there. I think the books are available online.
100482	Not much.
100483	I have mixed feelings. I think it's good they make out of print books available. I am afraid it may damage of
	publishing industry.
100486	I can tell you that I've never owned one and I've never contacted Google for books, and no one's contacted for
	Google books either.
100487	The law suit they had that was delayed by the federal government.
100489	I often use it for research. I'm often trying to find a quotation from the book I've just read. But you can find just
400407	about anything.
100497	In general been resistant to changing formats, just another way to read print.
100501	They provide access to electronic books and are working with back catalog of books in public domain.
100503	Generally a positive impression, they have all the material available online which is a good thing. There are a
100504	number of problems with it with what the authors are entitled to. It is interesting they are able to put so much out without contacting the authors or copyright holders.
100504	Initiate part of Google to put some books under Google I am little uncertain about it.
100506	I know they are trying to copy everyone's books. Someone is tying them up in lawsuits over royalties.
100508	They are hopeful and somewhat struggling and it remains to be seen what develops.
100500	They are trying to put all books in the world online.
100521	Google is trying to create a universal library on the internet.
100525	Just have heard of it, not knowledgeable.
100527	Makes the test of the book available through Google.
	Know that they are out of copyright books that are online and some in copyright books are available with
100528	arrangements with the publishers.
100532	It's piracy.
	I know that for a while Google got sued for making copies of books available so now they have to negotiate with the
100537	owners.
100548	I don't have anything much to do with the internet.
100549	Nothing.
100555	You can read some books or buy the books I think.
100564	I used the information in the database.
100571	Ambitious effort but has many complications - the controversy continues. I agree with the approach, but Google
100571	has turned more commercial.
100572	It is an online service which makes available excerpts from selected books, sometimes extensive. It helps in
	research.
100576	They are trying to get as many books as possible electronically stored.
100579	Well they are available online so I don't have to pay for them or not.
100580	They are available via the internet.
100583	Dance on the edge of the copyright laws by publishing a few pages.

Case ID	Q217: What, if anything, can you tell us about Google Books?
100584	Research tool and to buy books.
100589	Electronic books, that's about it.
100590	Nice display on IPAD.
100591	You can download books online. And it was a rare book.
100595	No specific opinion.
100596	I the only thing I can tell you is the litigation with authors gill.
100597	Make books available that are out of print or available.
100600	Most recent book it is electronically.
100613	Nothing.
100624	It's a way Google has a way of accessing books that have been basically copied.
100625	I know the words Google and books and know they're related.
100629	A project for large number of books currently out of print.
100630	Don't know
100633	That I have used them.
100634	It's available online and you can download copies of books or certain books.
100636	Keep getting information from them - I was included in the deal and now they are in trouble.
100638	Use Google scholar.
100639	It doesn't a good job for making books online.
100640	It's a site you use if you want to go online.
100645	It's hard to know what to say I haven't dealt with them my daughter has.
100649	I use it frequently checking information it is a good reference to a book.
100651	He looked up his own name and saw they mentioned his books.
100655	They must be electronic books; I have had no experience with them.
100657	I think it's a pretty good option.
100664	Since I work at a university e-book directs your to Google link.
100666	I know that the Google has tried to scan a large part of library to make it available in digital form.
100667	Read newspaper about the whole worlds library online.
100675	I'm apprehensive e about them.
100675	I know that Google is in the process of digitalizing every book that has been published.
100678	Finds it very helpful resource.
100679	They put too much of my books on there.
100000	
100682	They were trying to get the rights there was something wrong with copyrights so they had to go back to the drawing board.
100686	Not nearly enough books on it.
100687	Not interested in reading online but understand others are.
100688	It seems to be a great resource. Discovering books that are well out of print and hard to find.
100695	Huge company who provides lots of feed for information.
100697	Apparently when doing a search people can go directly to the text of the book
100698	Doesn't know much about it.
100700	Use them, you can't download them. Frustrating going through sections when they don't give every page.
100702	I can tell you that they exist.
100704	They promote access to books.
100705	Recently they had controversy to a writer to fill out a form to the copyrights to that book.
100709	I think they help Google more than they help the authors.
100711	Google Books is a two-edged sword. It's good to look up books on Google books but understand that Authors are
100710	concerned about their work being. Neutral opinion.
100713	Find them useful.
100714	That's where Google is transforming everything into E-Books so they can be online.
100716	Google books in books and they scan them into makes the book searchable.
100717	Goal to have every book published ever made on the web.
100718	They steal books.
100720	If I put a title on author into Google choices will come up as a link and you can see snippets from a book.

CasalD	0217. What if anything can you tall us about Casala Daala?
Case ID	Q217: What, if anything, can you tell us about Google Books?
100721	They are available for the books to be downloaded.
100722	They were trying to one make one gigantic library even though it violates copyrights.
100726	It's an electronic book service.
100728	I've searched for things on it before.
100729	They scan books and make them available online.
100731	No opinion
100735	Very useful for research purposes but how they affect the royalty structure of published authors.
100743	It's an electric version of books online.
100745	I can go online and read parts of the book.
100752	It makes books available through Google and you are able to do searches for text in those books.
100755	They are easily accessible and widely used.
100756	I have a vague memory of informing I might be able to get royalties from Google books.
100764	Well I understand they are printed on demand.
100766	Authors League is in the process of suing Google.
100767	Well I have just run into by Googling the research, so I read passages from books in passing.
100768	I have a friend that was published with one.
100772	As far as I know Google is trying to publish every book.
100775	That they have scanned the book for free you can portions of the book.
100781	I fear that they are taking over the print publishing industry.
100784	Google is a meat grinder. A lot of Authors want their books on Google books.
100790	I guess they are trying to put on an electronic library for all books that have been published.
100794	Download and make books available some politics about that.
100805	I think that they are very convenient.
100806	Well I think that when you type in a word you can find that book.
100813	You go online and then you have to search for a title.
100816	Attempt to put online the library holdings of books.
100820	What I imagine is that it's something through which one can have access to books through Google, electronic books.
100821	I don't like to read anything of that kind on an ipad or a tube or anything. Likes to hold paper in hand.
100823	Don't know much about them. A lot of self published books.
100824	I use it a lot basic problem is the cost.
100825	Not much of an opinion. Know more about kindel.
	I have an ipad and have Google books. It's a competitor to the kindel I store. I use Google books in terms of Google
100826	search as a way of tracking down books that I'm interested in.
100829	A lot of writers have problems with the copyrights. But it is nice to have access to books no longer in copyright or print.
100830	I like the idea of Google books very much. For me it's good because it doesn't give the entire text, I know some
	people do but I'm not one of them.
100832	Pulled up my memoir on the site. Only portions of books are there.
100833	Sometimes I come across them when searching on the internet. Don't have total access to it.
100835	I see it as a fair system of displaying author's works.
100839	It's a way for people to present on the web by the authors of the books. Way for people to get their work out.
100840	I use them for research. I feel admit only books that are beyond copyright protection.
100841	The publishing industry feels quite threatened by Google books. Agents and publishers are concerned.
100842	Think the program is digitalism is an important one.
100848	Nothing.
100850	I have used it on the internet.
100851	They have a mission to digitize works.
100853	Trying to digitize all books.
100855	I have a Google g mail.
100862	You would be able to Google books and online and read books for free.
100863	They seem to be easy to access to and to read.
100864	Amizon.com.

Case ID	Q217: What, if anything, can you tell us about Google Books?
100867	It's just another way of accessing of books.
100871	They scanned all of the wrong books in the library.
100874	Not really.
100875	Many classic books are there for free my books are there.
100877	It's an option that makes more available to more people.
100881	They on the web you can search any book.
100887	I know that the book raze is in e-book.
100888	Trying to scan every book in existence for people to find on line.
100900	They have gutted the copyright laws; they are bullies- publishing all copyrighted material and saying if you don't like
	it - sue us; however they are making literature available to people globally.
100909	Ambitious program to put every published on line this has been scaled to do opposition.
100910	There is a publishing capacity, that's it.
100911	Nothing.

Case ID	Q265: What makes you feel you have financially benefitted from Google scanning your copyrighted books so that
	they can be searched online and short excerpts displayed in search results?
39	The press made one available and paid me a royalty.
123	It makes the searcher want to find a more convenient copy of the book in a library of by purchase.
218	I guess that somebody might order a copy of a book because they found it there. I don't have a way to test for that
231	The book gets more exposure via a Google Search.
100062	Simply that it's a reasonable way for people to search and find out where\ they can purchase a book.
100146	If your books are not sold yet if you put them on Google they will become. They sell completely.
	My book came out in the winter following 9/11 bad time if it didn't have anything to do with terrorism. I didn't get
	a lot of reviews from the higher outputs. The book was some what invisible. I think it exposes people to the book, if
100199	somebody is doing a research and run across some of my references at least they know it's there, you have a better
	chance of reaching that customer. If they don't get it in the library, they're not going to get it in the bookstore. It's
	been selling steadily and selling the e book steadily for a year. Otherwise nobody would see it would be dead.
100357	I do get a check for permission to download a chapter or whatever is download.
100365	Because I can see if my students used it for only the excerpts.
100422	Somebody might look at an excerpt and decide to buy the book, its free advertising.
100463	Increases exposure.
100578	Are making money.
100654	I think it would invite more sales.
100760	Because The excerpts leads to the books so they buy it.
100824	Information gets out much easier than paper copies.
100835	Simply a matter of exposure.

Case ID	Q285: What makes you feel you would financially benefit from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
58	People might buy the book if they like the excerpt. Royalties are good.
64	Sampling small excerpts might lead to purchases
66	People would understand better the excellence of my work and specifically what its content is about
~~~	If readers learn something about the content of the book they are more likely to purchase it especially if they
90	purchase books online.
92	Any exposure can contribute to a 'buzz.'
05	One of my books is back in print at my expense, with plans to make it available through my own website. Where PR
95	is concerned, having excerpts searchable online can only help.
	When backlist print books are e-published, authors are exposed to potential new readers. Discoverability is
101	primary, and short samples conveniently available can help readers decide if my books are the sort they might like.
101	I'd prefer to select the short sample, or have the ability to decline what Google selects if I don't consider it an
	adequate representation of what I write.
102	Should whet reader appetite.
103	An excerpt might induce someone to read the whole book, maybe buy it!
106	Maybe someone would chose to purchase my book after reading a brief passage.
108	More people would be interested in buying the books.
125	If people like what they see, they will buy the book
141	people will have a chance to sample the books
153	A person seeing an excerpt and perhaps even learning for the first time that my book exists and is relevant to his
155	interest, might want to buy a copy.
157	It would make it possible for more people to become aware of my books, and might prompt them to buy the books.
157	It's a matter of exposure.
168	Because is finally a business
170	Chance to bring them back in print.
173	the brilliant prose would attract new readers
177	I would think it would expose my books to more people.
179	Greater exposure of my book
181	Readers get sense of style and content
188	I offer online drawing classes and some people may view excerpts and find my website and be interested in classes.
195	People doing research in my field would be more likely to buy my books. Their taste of the content could stimulate
	sales.
196	People can discover more easily if they want to read the book in its entirety.
209	Obvious
211	If the reader got interested in the short quote, they might want to buy the whole book.
233	There'd be a good amount of publicity
260	More possible buyers have access to the material.
264	As long as the scanned material is only a very brief excerpt it would likely raise the curiosity of potential readers,
100002	thus leading to increased sales and/or library use.
100002	People would know about them better and see how well they are written. Simply I believe it would benefit me financially since the book store I own would not stock professional (scholarly)
100013	books.
100021	More people would find out about the book it's almost like an advertisement.
100021 100024	I might be able to get my book reissued or reprinted.
100024	Because I would be better known.
	I feel that I would benefit that I can get a pr out of a publisher. I also would get more exposure then the publisher
100056	can give. More people can hear about the books.
100059	More exposure to my books.
100053	They might be bought.
100003	More people would come to be aware of it and more would be sold.
100073	It would lead to selling the books and benefit me.
100074	The book is getting publicity and more people would know about it from the category of people who know about
-	

Case 1:05-cv-08136-DC Document 1001-7 Filed 02/08/12 Page 13 of 29

	Q285: What makes you feel you would financially benefit from Google scanning your copyrighted books so that
Case ID	they can be searched online and short excerpts displayed in search results?
400000	they would buy it.
100082	It would maybe titillate someone in finding a copy of the book.
100089	Then people might be inclined to buy the book.
100093	I would have more people having access or being exposed to my book.
100109	Because some people who get a glimpse might decide to buy it.
100113	Somebody might read or buy.
100115	Entice someone to read more.
100116	More people would see it.
100120	If it is credited I would benefit.
100121	Making the book more available.
100128	More books would sell.
100166	It would advertise the book.
100172 100179	They might interest someone in wanting to read the entire book.
100179	If it receives publicity.
100184	They might buy the book. Additional books might be sold.
100185	I think that if they did I'd like to think they'd like to purchase them.
100193	I assume that it would.
100213	I would think it would make people buy more of my books.
100217	Because I feel people might buy my book.
100235	More exposure.
100242	My very first book is online and people can read about it extra exposure.
100245	The more they're quoted the more they may buy from me.
100264	You would have your work read.
100268	It would help sales.
	Well for one thing it would result in selling more books, but more importantly by getting my name better known.
100270	would make more money from ledger fees. My money I get from royalties is not as much as I get from ledger fees.
100279	I don't see how it would hurt me in any way. The benefit would be people reading the book.
100283	It might induce people to go out and buy the book.
100284	My books are really good and the more people who could look at them would want to buy them.
100296	Widens the market.
100299	I think that my material would be so intrigued that the person that read them would be moved to purchased.
100305	People get familiar and might buy it.
100332	The amount of money that will be involved would be small. They will pay us more money for the articles.
100335	Somebody might come across it and may want to buy it. I don't see a it losing.
100346	It would be out for the public, it would be getting it out in front of the people.
100385	It would stimulate someone to buy the book if they found it worthwhile.
100390	Someone who read my book online might be tempted to purchase the whole book.
100397	More potential readers.
100407	More publicity.
100412	Because my books do not have a wide circulation, but maybe I'd get a few royalties, but not much.
100424	It is a scholarly book and someone would get a since to see if they would want to purchase that book.
100426	Bring more attention to books.
100432	It might encourage someone to buy my book.
100437	If someone reads an excerpt, they night purchase.
100438	Give readers some idea and attract them.
100440	People could browse the books and a small percentage of them may purchase the books. They're academic type
	books.
100448	Thousands of people read and want to buy.
100460	I would benefits if Google would pay financial royalties for what it is digitizing.
100464	Quotations from book would think it interesting and buy my book.
100476	The more people are aware of what I do the more people buy my books.
100477	I might benefit because more students or professionals would see my work when doing research and then they

Case ID	Q285: What makes you feel you would financially benefit from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
000012	realize they need to read my work.
100480	The more people see samples the more interested they might be in buying it.
100488	I hope it would sell my books.
100488	Might encourage people to purchasing the book.
100501	I believe as more people have access to the content of books they would be more inclined to purchase them.
100504	Somebody might be attracted by the excerpt and buy the book.
100508	The exposure that I would get might increase sales.
100512	Because they would be a huge selling of my books.
100555	If they can see the short excerpts they might want to buy the full one.
100572	mathematicians typically use these types of services and then they would find and probably buy my book.
100579	IT Brings the book to the attention to a wider audience.
100580	People would have a chance to see the book to be better exposed to the book.
100588	I have a website where they can do this.
100594	Exposure.
100596	There displayed online then they would purchase the book.
100597	I am the author and I feel it would help sales.
100605	Because it seems like a free way to advertise your books and build demand.
100624	A link to a possible sale.
100628	I would look at it as a plus. Someone views it on line and might look for it and buy the book.
100629	It gets the word out.
100635	Hopefully it would make people want to purchase entire book.
100649	Imagine that some audience becomes familiar with text and decides to purchase it.
100652	If people read excerpts and like what they see as new or important information they would be likely to buy book.
100683	The Quality of the book itself.
100685	Well I think that it would draw attention to my book.
100706	It's possible that some folks who are web surfing might look at an excerpt and decide to get a book.
100721	Because A lot of people do Google, it's a way to get my work out more.
100722	Free publicity.
100734	The publisher has never done a good job merchandising the book.
100735	It would bring the book more exposure and then readers would want to buy the book.
100749	People would find the book and would buy it.
100750	Well a lot of the things are financially motivated.
100757	Free advertising.
100758	It would make people buy the book.
100758	It would be like a form of advertising so I would get around.
100764	Google were to reprint my book the royalties would come directly to me.
100767	It would increase sales.
100707	They are award winning books and people might want to buy the book.
100779	Feel that more people would discover the books.
100773	More people would be able to read excerpts and get interested in them.
100801	Someone might see it and it would catch on.
100805	Because it promotes sales on the book.
100813	I might get more books sold that way.
100815	Someone might want to buy it.
100818	Somebody can buy the book.
100827	It would make it more available to general public otherwise who wouldn't know the existence of the books.
	Basically becoming well known is a way that an author benefits. Better known an author is the more benefits will
100839	come to him in terms of making money. It may not be that book but the next one. Every writer wants to get their
	work out to be read, if people have the opportunity to read it they will go out and buy it. Word of mouth exceeds
40004	every other way of becoming known. The internet is the ideal way of doing that.
100841	The theory that exposure and publicity is a good thing.
100847	People might buy them.
100855	If interested some one would be pursue buying the book.

Case ID	Q285: What makes you feel you would financially benefit from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
100857	I'm a long time journalist and an expert in television.
100860	Just if people still discover it and get excited about it they could get the book from Amazon.
100883	Form of advertising and might encouraged the readers to buy the full volume.
100890	Because I sell them myself so Google scanning would help.
100906	The small benefit and possibly some small loss, if there's some deal, I'm not probably going to be making and serious bucks.
100908	Whatever they do to help is okay; might enhance their income; hard for publishers to keep everything in print so it helps.
100910	Because it's free advertisement.
100912	Due to a greater exposure to my book.

Case ID	Q267: What makes you feel you have been financially harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
93	If you purchase, say, Russia's First Civil War I earn about \$3. If you read it via GB I earn nothing.
100014	Because Google without the permission of the author or publisher puts small portions of the book get enough information of the book the person would get information free so he won't have to buy the book.
100015	People read it online instead of buying the book , when I looked at my book neither man nor beast I found 30 to 40 pages available interrupted by ten pages and then 40 more pages fully scanned, there were more pages there then absent.
100386	Slightly harmed because people can see for free.
100680	My book is available online so why would anybody it?
100724	I have genre book, very specific books and if too much is used obviously that really damages the books because people feel they have no need for it anymore.
100766	It was done without my permission and doesn't know exactly what is happening.
100894	No one has the right to scan anything and benefit from it w/o authors opinion.

CasalD	Q287: What makes you feel you would be financially harmed from Google scanning your copyrighted books so that
Case ID	they can be searched online and short excerpts displayed in search results?
13	I'm quite sure Google would be charging me, or my publisher, a fee
28	if you publish my book and charge nothing for its use then I will lose money on royalties
111	What is to keep Google from eventually posting the entire content of the book online? Google is known for unethical behavior.
116	Readers less inclined to purchase book
122	people can also xerox in violation of copyright once they see a fraction
130	This type of question does
143	Excerpts from my books can be read on my website, why would I want them read elsewhere?
172	I think it would impact royalties
201	Copied for performance
203	On principle, I think authors should be compensated for reprints, however they occur.
221	I feel Google is benefiting but I am not.
	If a person can find what he/she is looking for in my book by using Google Books, then that person has less reason
238	to purchase it.
245	short excerpts ok only
262	I would prefer that researchers purchase the book or check it out of the library.
267	I do not have to answer
269	people may get enough information and not want to buy the book
	I know that if that you spend the time and I'm not quite sure about it, I think though you can put the wrong book
100019	together even with short excerpts and that can be very harmful to the copyrighted author.
100025	I don' know the extent they would be showing my books.
100072	I feel that I would need a royalty to start with.
100096	You have to find someone interested in the book to begin with and then Google books reaps the benefit.
100099	Google would make the money and I wouldn't. I don't think Google would do that. It is a profit making company.
100124	I think that their using my works and should be compensated.
100135	People can get text and may not buy it.
100164	If scanning cuts into the sale of the whole book then I would not support it.
100207	I have no idea who is using it.
100208	Lose control over it.
100256	I Don't Know.
100259	Well quite a few of my books are text books and I think the sale of text books is a good part of my income, I think I would be hurt by that.
100291	This is a substitute for library purchases.
100306	Intellectual property stolen from me.
100317	If the people can get the information on line they will be even buying fewer books.
100323	I have a number of books I could make available as e-books but they are not publishing e-books what would my profit in that.
100341	Someone who was looking for something specific would use that and not buy the book or look in the library for it.
100341	Careless people would be careless and segmentary useless they wouldn't get the author's particular idea.
	I believe it could lead to the republishment and it can steal my copyright. It can steal my copyrights and money that
100353	I am entitled. I would need more information about what they were doing and exactly.
100354	They would be only short excerpts and no definitions of what it will be doing. Don't like that Google books will take my work.
100368	I think it's surveying Google more than it's serving the publisher or writer.
100376	Don't think publishing snippets are a good idea.
100378	Because publishers were constantly excerpting and paying me fees and that not happening any more.
100410	Not sure who has the copywriter - but I do not get any royalties and I was paid a one time fee.
100413	Some publicity's better than none at all.
100446	Because these current books of mine they are designed for people to use them out in the woods and not the

	Q287: What makes you feel you would be financially harmed from Google scanning your copyrighted books so that
Case ID	they can be searched online and short excerpts displayed in search results?
	computer.
100459	People would see it free rather than buy it.
100529	Under contract for revised addition.
100590	Because I write poems and they are short.
100607	Because some people would plagiarize.
100676	l prefer control.
100679	Fewer people would purchase the book.
100700	Someone might download it and not recommend to class and students wouldn't purchase it.
100703	Well one book is poetry, but if they can search it, they can view the whole book without paying for it.
100714	If people are trying to look up information if they can get it from Google books then they don't need books.
100718	Because people would be available to the book without them buying them.
100727	Because it would give a wider reading audience.
100775	Because I feel that people might only look at a little book so they wouldn't purchase it
100781	I mistrust corporate motives.
100782	Garage full of books that I could sell instead.
100784	Because anybody can take the books. A lot of my books have pirated already.
100812	Don't know enough about it.
100866	Fewer royalties. More people would be going online.
100900	People would no longer buy my books; they would pay Google and not me.

	Q275: What makes you feel the demand for your book has improved from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
40	exposure that otherwise might not have happened
65	makes readers aware of books they would not know about otherwise
69	I know people who have looked at my books on GoogleBooks
123	see the previous answer
218	I am just projecting what I would like to be the case.
231	more exposure.
100057	By just checking one or two sources like amzon.com. When a book is scanned by Google it gives them a title and excerpt. Most people would search on Barnes and Amazon for the book and find as a result of that at least one title has increased in sales a fair amount.
100062	I don't really know.
100105	I feel that more people would hear about it that way.
100146	I think that anyone use Google to find books easier. It's marvelous.
100157	Hard to know but sales have increased since they have been doing that.
100199	I think there are a lot of customers out there, I have no proof, I think there are people out there that need to see something before they buy it. It disappeared from Barnes & Noble because it didn't move. How is anyone going to buy the book if they don't see it. A lot more people are using Google and it's a virtual pick it up scan it look at it. It's got to help, it can't hurt.
100206	Gut feeling no data to back that up.
100260	I've seen reference to where the reader seemed to have been using Google.
100281	People would be interested in what the excerpt said and might buy the book.
100357	The book is out of print so you can get it from google.
100422	Because it's another way to let people know the book is there, most academic books don't get a lot of advertising.
100463	Increase exposure and maximize the number of potential buyers.
100560	I feel that once you write something you are glad to have it out there.
100584	Nitty gritty - see it on Google can get the picture - more likely to buy it.
100602	It stimulates interest on the reader's part. They want to read more I hope.
100630	People are able to see the relevance of the book.
100654	Meets people all over the world that are aware of books through the internet.
100695	Because more people would read about it.
100704	Nobody knows the book exists and they become more available.
100705	Because I was advertising a writing workshop, I was founded by Google They will end up in my book some how.
100720	The fact that it's out there and potential readers could read portions and become interested in purchasing the book.
100724	It's exposure of the book and Google does give exposure. But not too much exposure, that can ruin the book.
100760	Because The excerpts leads to the books so they buy it.
100824	Because of the use Google by most people.
100826	Makes it more visible to people.
100835	Exposure.
100852	makes the content available.
100867	People have a very narrow definition of copyright. The more buzz there isre is the better.

Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted
books so that they can be searched online and short excerpts displayed in search results?
More people would know about it.
More people would get to know about them!
Greater accessibility to scholars and potential purchasers of the book.
Same answer as before
As I said, people would understand better their content and excellence
The present publicity of my books seems to be minimal. Might be from lax Marketing by the publisher or some irregularity in the publishing house.
Publicity for book
More exposure
It would have the potential to reach people who otherwise wouldn't know the books exist.
because my books are scholarship and readers might see that they are also accessible.
Seeing the table of contents might persuade them to purchase the book.
Few people ever heard of me and my 28 published books.
Any visibility would help with sales.
More potential readers might develop interest in the complete book.
Discoverability. If readers can quickly sample a book that caught their attention, the right readers for my books are
more likely to give them a try.
I don't have other advertisement means.
If it is a good excerpt it might induce someone to buy the book
They are available. Right now they're not available.
Short excerpts of poetry can show a lot about the quality of the poetry if well chosen.
people like to know what they are getting
Search mechanisms would bring books to attention of more peopleat least possibly
I think when people read it they would want to read the whole book
d
See previous comment.
People who are looking for specific information, and who are directed to a sample of my work, might be prompted to but the entire book
More people would know about it
Academic books are frequently not well known or marketed beyond a narrow university community. Something lik google books will give such works wider visibility.
because finally it is business
Awareness
people would want to read the whole book & therefore would buy it
I would assume it would be more available to more people, increasing the possibility of selling books.
Greater exposure of my work
Would broaden knowledge of the book
Readers would experience style and content.
A person able to see specific excerpts would be able to recognize a need to obtain the whole book, which they
otherwise might not know
Well the Google name is well known and respected. It could only help people explore my book.
Readers could see if the book material is appropriate for them. All my books are non-fiction.
This provides additional exposure for these books. Seems obvious.
Gets the word out.
would make readers more familiar with the work
My books are either text books or edited works. They are not novels, such that reading the last page gives the stor away.
My books are non-fiction; finding passages that are useful might make readers want to read more of them.

<b>C</b> 1D	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
235	exposure
257	Readers would get a sample of the writing,etc
260	Again, sheer numbers of people seeing the material for first time.
262	More readers would be aware of the book.
264	As already noted, such a brief excerpt would raise the curiosity of potential readers/buyers of my book.
100002	Just more awareness of the book.
100008	My publishers Macmillan and Cleo and the others never really advertised or pushed my books because they were scholarly books and if they can be goggled it could help.
100009	I would be better financial.
100017	It might get more library use.
100018	It would give people a chance to sample my books and decide if they like to buy them and if so and provide them with a link to purchase them. This would be a service to the authors, publishers and retailers.
100020	Any advertisement is better than no advertisement.
100021	People would find out about the book that they don't even know it existed.
100022	You would be able to get more exposure of your work.
100024	Well there has been a demand of the civil rights era little was done so there would be a demand to see the photographs.
100025	Because it would interest people in the book.
100027	People in a new younger generation might be interested in the book.
100030	Because it would increase the sales.
100031	More availability.
100032	Because there would be a wider audience people would see the book.
100033	Hopefully the person doing it would find that they would want to get more info.
100037	Simply familiarity people would see it more and a wider audience it would be more worthwhile instead of just the title of the book.
100040	Well because people would be more likely know about the books and if they would be more useful to them.
100041	If you can look at part of a page you can see if it is relevant to what you are looking for.
100044	A sampling of the book would provoke a reader to what to have more.
100051	Because could it could not possibly get any worse than it is now.
100053	I think probably people would want to see more of it once they saw the excerpt.
100055	Well more information would be seen it would make it easier to find.
100055	It would improve because there would be more exposure to the book.
100058	It would give the titles of the books more visibility.
100058	Again more exposure to my books.
100053	They would learn about the book and they would learn where they can get the book.
100065	It would make more people aware of the book.
100065	More people would be able to see it and might buy it.
100067	Basic awareness people search online so they would see it they don't have to go to the campus book store they
	could look online.
100068	More people would become aware of my book.
100071	They would be more available.
100072	It would be easier to access. Also you can find the book easier.
100073	It would show how other portions of the book would be a benefit to you.
100074	More people becoming aware of the book and logically more people would purchase the book.
100077	Because it would be more widely known.
100082	It would get somebody's attentions and I would think they would want to get the original book.
100086	So that a wider generation could be exposed to my work.
100089	I know the University of Chicago has put all the publications of the Oriental institute online it has increased sales.
100091	There would be more than just a title to find. It would also give more interest to the reader and give more for people with questions.
100093	More people would see it.

	0205. What was been should be also and for some back would be made from Constant and the some instant of
Case ID	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
100094	
	I feel that it would be more widely circulated and can get more interest in the book. Make the book more aware.
100097	People would have more access and interest in the book by seeing portions of it. I think it would bring the titles back into light. It would give it exposure which would be beneficial.
100098	
100099	A wider audience but it wouldn't help me because I wouldn't get any money from Google.
100101	More people would know more about my book.
100104	I think anything that gets a book out to the public would improve sales.
100109	Because I've had people learn about its existence to have it known.
100113	Don't know
100116	More access.
100119	It would be an introduction to the book.
100120	If it is credited it would gibe exposure.
100121	Makes the book more easily available.
100127	If people see it and realized it still exists they might want to buy a copy.
100128	More access.
100131	It will increase the exposure to the public.
100132	People have opportunity to see some of it.
100137	I think that scholar's researchers would find it helpful some were published long ago or out of print.
100139	Some of them would be out of date.
100140	Well I think it would increase access to others.
100142	There might be someone who will find on Google books and may want to buy it.
100155	Because it's my book as many nonfiction books are is sort of a limited audience. So people that might not otherwise
400465	know of its existence may learn about my book.
100165	Be more readily available.
100166	It would entice readers.
100172	Exposure of my book.
100173	Somebody might want to read the book.
100174	It would allow a sampling to whet their appetite.
100176	People would then see that the book was useful and I would be happy to have people view my books.
100179	It would be good for publicity.
100181	The occurrence of the students getting a view of my books.
100182	The book was republished two years ago. Might come to more interest.
100184	The reader might find it interesting enough to buy it.
100185	Potential buyers would know more about them and the more they know about them the more they will want my books.
100187	l've been told by people who've heard of my books and it's helped them decide to buy my books.
100107	I'm an academic researcher and I believe in the free exchange of free information and ideas so the more people to
100188	read it the better. I don't write to make money basically.
100190	It would get my books out to more people.
100190	I like to believe they can become more familiar with the contents of the book and be attractive to them.
100195	It would be good marketing and advertising.
100190	The book is out of print and it might cause the publisher to reconsider at least a new printing.
100201	A glimpse of it might peak interest.
100212	If they are selling books for me someone might buy.
100213	The people would be more familiar with the book.
100223	The excerpts serve as bait to increase curiosity on the part of the reader.
100225	A little more notice.
100223	Well they might order it if they're aware.
100220	More people would have access to what I have written.
100220	35 years out of print reasonably respected book might help.
100230	It would be more visible.
100232	It's obvious it the wave of the future.
100204	

	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
100237	Make people more aware.
100239	Because people would know about it.
100235	Greater exposure.
100240	I cannot think of any downsides. I don't see how it would do them any harm.
100242	If people knew about it and Googled it they'd like my books.
i i	
100246 100251	Obviously easier for people to get them. The book is a special academic book and this would bring it to wider audience.
100255	The more often my books are quoted the more people would know they exits and be apt to buy them.
100256	Somebody may be interested .it is waiting for someone if it is there to be used.
100262	Because it is a different method for people to be aware of my books.
100268	It would help sales.
100270	My books are so good that if people see little excerpt from them they will want to buy them.
100274	A good number of them are not in print and if they were scanned by Google they would be accessible.
100275	More people would know about the existence of the book.
100276	Make it more accessible.
100279	It is a scholarly book. people interested in those areas would be informed.
100283	If people could read my brilliant prose they could go out and purchase it today.
100284	More people would be aware of what's in the book.
100285	People would become aware of the content.
100288	It would be more accessible online.
100294	It might make them more visible.
100296	Lots of internet people connecting with book.
100299	To get my work in the hands of someone is a big job and a lot of people are doing their searches on line.
100301	Somebody will want to more.
100305	If they are interested in the topic, they will buy.
100330	Both books can be on there and can have more people view them and the demand for my book would go up.
100334	People can find out about my book without going to the library.
100335	It would make more available to people. Now I will come up from this one website.
100340	If someone wanted to read the book they can find it easier.
100342	The more people that know more about the book even a short excerpt it would make them want to know more about the book.
100346	Because of type of book it is, some of it is for young people some of it for adults.
100349	I think it might be somewhat improved but I really couldn't say for sure.
100352	The people will know the quality of the book and read more.
400050	It would be improved because publicity would make it more available and would make us want to try it and have
100353	the book. People can also become interested in the book.
100358	It would be more widely available to an audience a little bit of a teaser.
100359	Because my books are technical in nature people will need more information.
100363	More people would be aware of my book.
100373	Because someone might see it and be interested and order a copy.
100382	Anybody that is interested it would be helpful.
100383	Public visibility not previously gotten.
100385	I think the people reading the excerpt might want to read the book.
100390	My books are great.
100391	Whoever is looking might buy it.
100393	Information about the books made available to more people.
100397	Might.
100400	Not appreciated by today's reader.
100400	It would be more likely for someone to stumble onto my book this way.
100401	It would be more exposure to my book.
100402	Because people might come across it in an online search, which might, otherwise, never have heard of it. This is my
100411	because people might come across it in an online search, which hight, otherwise, never have heard of it. This is my

	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
	experience, when I come across books in a Google search, I click on it, read the excerpt and in some cases, I've good
	out and bought the books, one or two cases.
100412	More people might read, or purchase the works.
100413	Well, again, if you don't know it's there, you wouldn't be offered it.
100416	Simply that under some rubic people could find out one more thing that they did not know - enhances the search for knowledge - not concerned with royalties or stealing - on line is great.
100423	I feel that the benefit to me would increase.
100424	The exposure.
100432	It would bring it to the attention somebody that would want to buy a book.
100436	More people would know about the book.
100437	More people exposed to my material.
100438	People would be enticed.
100440	Most of the type my books don't get marketed. This would help them get marketed.
100445	Because people search Google. Spreading ideas and people would be better off.
100448	Because the more people that look into it and want to taste it.
100449	More people would know about it.
100452	Would remind people that it exists - 7 years old.
100452	More people being aware of the book.
100455	If you read part of it you would want to read more of it.
100456	People may be interested. It cannot harm.
100457	More people would be aware of it.
100460	It would make a casual researchers more familiar with the work.
100462	For information if people are satisfied they can buy my book.
100464	They would buy my books.
100468	My guess is that the nature of the topics students would consult it in college and they would come to it more
	quickly through the internet.
100471	It might to get the book to get the whole.
100475	The demand might be improved but financially it has very little impact on me since my publisher went out of business.
100476	The more people know about what I do the more likely they will be to buy my book.
100480	Because of the additional exposure.
100482	Most of my books are pretty old, so this way people could get in touch with the books.
100488	Any kind of advertising is good.
100400	Well, a lot of my books are poetry, and people are looking for a title. Their access to it would be immediately, and
100489	mostly they're small print runs, and I think it would be good to be out there.
100490	The person who is interested would find out about it.
100496	More younger women could learn something from my book.
100497	Easier to know what the book is about rather than running to the library or bookstore. Faster access.
100500	Because it's sold at gift shops and people that buy the book also want to know where also to get the book for their friends.
100501	Again because more people seeing my books may want to acquire the books.
100504	Slightly improved because someone might be attracted by the excerpt of my book.
100508	Much wider exposure.
100512	I would be very pleased. Most authors are writing fiction books. You can get a global approach.
100520	It would increase awareness of the books existence.
100520	Any press is better than no press.
100521	More chances people have to see info the better it is.
100524	If they read the excerpts they might like the book.
100528	If people can find a little more about it than they might want to have a copy.
100531	Thinks that people who are not familiar might look and read an expert and think maybe they should buy it.
100537	It gives readers an opportunity to sample and then possibly buy it.

	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
100545	By giving it wider distribution.
100549	It would get more exposure.
100555	Might improve sells the short experts might want to read more.
100555	The more people see these excerpts the more people that would want to read them.
100555	Think that books read well and the experts read well and increase the audience.
100568	I think people reading excerpts would be inclined to read the whole book.
100508	Slightly improved again because more people would see my book.
100572	Its greater publicity.
100573	More exposure that could be good.
100576	More people would have more information about them.
100570	It creates a larger audience for the book.
100579	If they saw it they would buy it.
100581	More people would have access. Greater availability to the public.
100582	
100588	More likely to buy it.
100591	People would have a chance to see it more quickly instead of wandering a library looking for it.
100593	People ran across things on my website and they like it which show improve. Exposure, more people know about my work the better for me.
100594	
100595	Because more people would have the possibility of finding out what subject matter his book is all about.
100596	More people would be exposed to it.
100597	More exposure and people would want to have a copy.
100598	Depends on timely advice.
100605	Because again it's more free advertising for more book and can build demand.
100617	My book is primarily about Russia and Russia is a very hot topic now.
100624	Greater exposure.
100628	More exposure.
100629	Anything that brings it to more people's attention would be a benefit.
100632	People would be more aware that a book would be on a particular subject.
100633	Bring it back to life a little bit.
100634	That they wouldn't be discoverable.
100635	People would be interested and read the rest of the book.
100639	If it had a high appearance in the search engine more people would see it.
100645	Google is very powerful search engine for everything and a form of exposure.
100648	Because its currently out of print and would be more available.
100649	Same answer before.
100651	Because Right now it's out of print.
100652	The equivalent of advertising.
100656	Because that books would might be off the scene, Google could be more current opposed to past books that are
	printed.
100661	My books are not widely circulated It would benefit me because more people would read them.
100663	More people would know their existence.
100664	If someone reads a portion then they might want to go out or buy the whole book. Increase the demand for book.
100665	If a person scanned it they might buy it.
100670	Publicity helps.
100677	From the accessibility.
100682	People who were looking for the book the Google scanning would make it useful for them to find the book.
100683	The quality of the book.
100685	I think it would draw attention to the book and the quality to the book and they would purchase the book.
100686	If it was a short excerpt people might want to read the rest.
100688	If people can see a portion they might want to read the rest of it.
100689	It's like a review

Case ID	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
100697	I feel if someone has seen any part of the book they will want to see the rest of it.
100701	A lot of people buy my book because of the title and subject matter.
100702	Because Of people who are curious, People could be more informed about the book.
100706	Folks could more easily get a sense of the content of the particular book that might encourage them to purchase the book itself.
100707	The chance of whoever reads the excerpts is intrigued by it.
100708	Have a look at a book and think it's interesting might want to be the whole book.
100715	Because poets are Googled individually as authors and when poems come up people tend to look for the collections.
100717	Google is the most famous name on the web so people would see it.
100719	Well they have been out of print, it would help the books out a lot.
100721	Again because it is the way to go because people are on the internet more and so people would see it and say what is this.
100722	Basically because any publicity even bad publicity usually helps book sales.
100723	A lot of my books are mysteries and a lot of people like mysteries and would like to know about them as soon as they come out.
100726	I'd guess that potential purchasers would find out enough to buy the book.
100727	Because it would open my books to a wider audience.
100731	I don't know.
100732	Depends on what people are reading.
100734	Same answer as before. It provides a good way of merchandising the book.
100735	If it were available to a wider public in short excerpts the wider public would have the opportunity to become engaged by the book and possibly go out and purchase a copy.
100737	Some people around the world might become aware of these books. Good promotion needed.
100738	If potential buyers actually read the portions they might be interested in purchasing the book.
100740	Because it would be more immediately available to a larger population.
100747	More people being aware.
100749	Most things that are on the internet if people are exposed to it there would be enough of them who would want t get it.
100750	Because you have a wider audience.
100755	People get exposed to enough to create interest.
100756	People would know what they are buying.
100757	It's free advertising.
100758	If somebody reads it they might be interested.
100761	It would get the book around.
100762	The lower east side is not necessarily time related and it's out of print. Having it circulated might be positive.
100764	The same answer as before.
100765	It can't hurt to get samples of your crows out floating around.
100767	It would increase visibility.
100773	Same answer as before.
100778	Just the fact that it would available to the public.
100779	Looking for specific topics they can find the book.
100781	Any reader who would be drawn to buying it.
100783	More people would be familiar with them.
100786	More and more people are using Google and electronics and it's easier to get stuff that way.
100787	Because my books are well written and highly readable.
100791	I don't know just guessing.
100794	Suspect it might.
100800	Somebody might read a part and might like it.
100801	A lot of people look at Google it could help.
100805	Because they saw that and will go to bookstore to get another one.

	Q295: What makes you feel the demand for your book would improve from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
100806	Well it would have more visibility.
100809	Greater public exposure.
100816	Give the newer generation access.
100818	Introduce more people to the book.
100821	People are all over the place on the tube and the internet. Can't do any harm on there.
100825	They are pretty good and people would want to look at it.
100827	There would be awareness that these books exist.
100828	It would reach a wider audience.
100829	Any writer hopes that a little taste of the book would make the reader want to read the whole thing.
100833	Simply that if people looking for a subject or me they would come across these things and might spark interest in the book.
100834	Because somebody might then wish to read the whole book.
100836	Because some people are attracted when they see an excerpt rather than a cover it makes more of an impact on the reader. Catches their interest.
100839	Same answer as before.
100840	I look inside books to see if I want to buy them.
100841	Because anyone reads the copy would be moved to want to go out and buy the book.
100847	More people would be exposed.
100855	Because of the exposure.
100856	It would someone is available.
100857	People would look for that information.
100858	You'd have a little more coverage, people would be able to read a little bit of it.
100859	I think the reader would have more insight on the subject.
100862	Just getting into the public spear.
100863	It's getting out there.
100864	Because Its material and they get to see it.
100873	More people would be aware of it.
100883	People see how good it is they will want it all.
100886	I don't profit directly from these books I just did it as a labor of love.
100890	Exposure.
100891	Because I am responsible entirely for publicity of books, I can't travel or promote my own work and the exposure is good.
100892	If people can have access to some of it they might be interested in buying the book.
100895	Anything that is brought to people's attention could be positive.
100906	I think it would be publicity for my books, more demand then for my books because more people will see my books
100907	It might improve because having just read an excerpt in a masters program students and other invited guests; mentors; faculty wanted to read more.
100908	Increases the opportunity for people to see the work.
100909	More people would be aware of the book.
100910	Because of the free advertising.
100912	Again due to the greater exposure of my book.

	Q277: What makes you feel the demand for your book has been harmed from Google scanning your copyrighted
Case ID	books so that they can be searched online and short excerpts displayed in search results?
100014	Because if someone can get it for free they won't buy it.
100465	Benefit would be more positive.
100430	I am not aware of losing any royalties - I am also aware that people may see my book and be interested in it - my
	judgment is that I have benefited.
100680	Its already available online.
100015	People are reading online not buying it.
100583	There are people who have taken excerpts from the book and otherwise they could have bought the book instead.
100894	They have no write.

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Case ID	Q297: What makes you feel the demand for your book would be harmed from Google scanning your copyrighted books so that they can be searched online and short excerpts displayed in search results?
28	
28	same reason I gave for earlier question
111	Most of my books are used in the context of seminaries and theological courses. They have become known in the
	trade as 'modern classics' and don't need any further exposure, particularly exposure that might lead to the postin of the entire contents online.
110	
116	Readers would rely on google results only
122	see previous answer
124	It might not then be necessary for the reader to purchase a book or too request it at a library.
172	too much information would be displayed
238	Same reason as given before - people would have less reason to purchase my book.
247	Quotes out of context can be misleading.
267	same
100026	If they can find it there they might not be interested in buying the book or reading the book.
100087	I teach at a university. My students often go to sites where articles are excerpted and they quote only from the
100007	excerpted passages.
100124	I think that they should compensate.
100135	If they can read a condensed version, they wouldn't buy.
100259	Students would be less likely to buy a text books.
100291	If they scan it without pay I would be harmed unless it were out of print.
100341	A person looking for specific material to use would stop with that and not want to read the whole book.
100354	Google books would be taking my intellectual property without any compensation to me.
100421	It's a great idea, you need to have your books published and popularized.
100446	Most people would want hard copy of book.
100459	People can get it for free and it's better to buy the book.
100523	Once you make it free and accessible why would people go out and buy it.
100586	Obvious thing.
100607	It is a short circuiting of concept of intellectual property.
100679	Fewer people would want to purchase the book.
100700	Students would get it for free instead of buying it.
100703	I just the one book is so slight, that they can read the whole thing without paying for it.
100714	If people can see it online then they don't need to buy it.
100784	Because somebody would just take it wouldn't have to buy it.
100795	It's going to be a scholarly book and it's a very small audience. Libraries purchase and if it were available
	electronically they would not purchase it.
100812	If people have it available from scanning they aren't going to buy it.
100871	People would be required to buy the book in order to read it.