A. MICHAEL NOLL
58 Baker Street • Stirling, NJ 07980 • (908) 647-3294

08-cv-8136

May 19, 2009

Office of the Clerk, J. Michael McMahon
US District Court
500 Pearl Street
New York, NY 10007

Dear Mr. McMahon:

I object to the Google class action settlement.

I own the copyright to a work of art ("Gaussian Quadratic") that is reproduced in a published paper ("The Beginnings of Computer Art"). The paper was published in 1994 in the journal LEONARDO and is copyrighted by the publisher of the journal. I am the author of the paper. The work of art includes its own copyright notice in my name. I have attached a copy of the page that includes my work of art.

I have been told that under the terms of the settlement my work of art is not included since it is published in a paper copyrighted by the publisher.

I object that Google has scanned this paper and has potentially made my work of art available on the Internet without my specific permission. In my view, this action by Google is no different than if someone copied my work of art and published it in their own paper without my permission. This action by Google is, in my view, a clear violation of my rights and of the law.

Yours truly,

A. Michael Noll

A. Michael Noll, Ph.D.

Copy to:
bookclaims@bonizack.com
bookclaims@debevoise.com
bookclaims@kvn.com

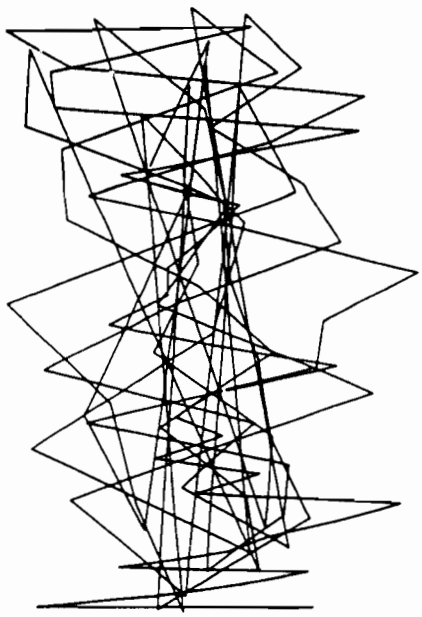

Fig. 1. ***Gaussian Quadratic*****, computer graphics, 1962. (©AMN 1965) This was the author's first serious piece of computer art, which he found suggestive of Picasso's cubism. Since there was no physical reality to motivate the work, it can perhaps be considered a combination of abstraction and cubism.**

direction of my career took me away forever from computer art and new forms of man-machine communication. Washington opened my vision; I realized that technology alone did not shape the future and that such other factors as policy, finance and consumer needs were perhaps even more important. The study of these nontechnology-related factors thus strongly attracted my attention, and in 1973, when I returned to Bell Labs, my research focused on the social aspects of communication technology. After a few years at Bell Labs, I transferred to AT&T and pursued a career there in the marketing of new telecommunication products and services. About 9 years ago, I left AT&T and initiated an academic career teaching the fundamentals of modern telecommunications technology to tomorrow's managers.

AESTHETICS: THE MONDRIAN EXPERIMENT

I always had an interest in the human and perceptual aspects of technology. Thus, it was natural that I would want to use my computer-generated patterns as stimuli to investigate aesthetic preferences. From a book, I was familiar with a Piet Mondrian painting consisting of only short horizontal and vertical bars. Such a pattern lent itself to producing a computer version, and I wrote a program to generate a computer Mondrian (Fig. 2). I then showed copies of the two works to people at Bell Labs to determine which pattern they preferred and also whether they could identify the actual Mondrian work. The results of the study were published in *The Psychological Record* in 1966 [1]. The computer Mondrian was used as the cover art for a textbook by a friend and colleague [2] and also for a textbook on probability [3].

Later, I modified the algorithm so that a series of patterns varying in the range of randomness could be created to even more closely approximate the Mondrian painting. I then designed an experiment using these patterns to determine whether people with formal artistic training had different preferences than those without any such training. I was unable to find any meaningful differences between the two groups of subjects. The details and results of the study were published in *Psychological Record* in 1972 [4].

Op-art was quite popular during the 1960s. In response to this movement, I used the computer to create a mathematical version of Bridget Riley's scintillating painting *Current*. I called my computer version *Ninety Parallel Sinusoids With Linearly Increasing Period* (Fig. 3).

STEREOSCOPIC PROJECTIONS AND MOVIES

I wrote software for the IBM 7090 so that 3D data could be displayed stereoscopically. The computer generated the stereoscopic projections of the data and then instructed the microfilm plotter to create two plots: one for each eye. I used one of my stereoscopes from childhood to view the images. The technique is described in a Bell Labs technical memorandum I wrote entitled "Stereographic Projections by Digital Computer," dated 27 March 1964. In the early 1960s digital computers were still somewhat new, and the adjective "digital" was usually used to distinguish them from their analog parents.

Again, the imagery was mostly artistic, although I also plotted some 3D speech spectrograms as part of my research in speech analysis and synthesis. I produced a series of stereoscopic images, used them as stimuli for some exploratory investigations of perceptions of aesthetic value and found that stereoscopic versions of the patterns were preferred over flat two-dimensional (2D) versions.

Fig. 2. ***Computer Composition With Lines*****, computer graphics, 1964. (©AMN 1965) This work closely mimics a painting by Piet Mondrian.**

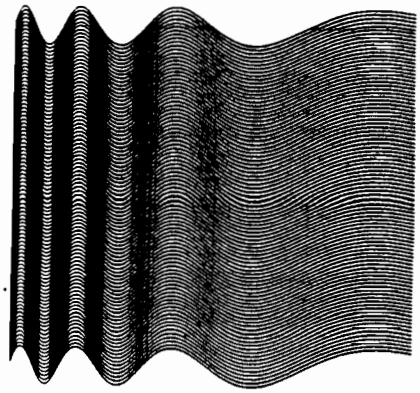

Fig. 3. ***Ninety Parallel Sinusoids With Linearly Increasing Period*****, computer graphics, early 1960s. This work was strongly influenced by Bridget Riley's *Current* and is an example of the application of computers to op-art.**

THE HOWARD WISE GALLERY EXHIBIT

The Howard Wise Gallery on New York's West 57th Street had acquired a reputation for innovation and for introducing new artists and new artistic forms to the public. In 1964, Wise approached one of my colleagues at Bell Labs, Bela Julesz, who was using the computer and plotter to produce random-dot stereograms for investigations of human visual perception. Bela introduced me to Wise, who wanted to exhibit Bela's and my computer-generated images at his gallery.

Bela was always very careful not to call his images "art," since the images were stimuli for psychological investigations of visual perception. I, however, had generated many of my images solely for