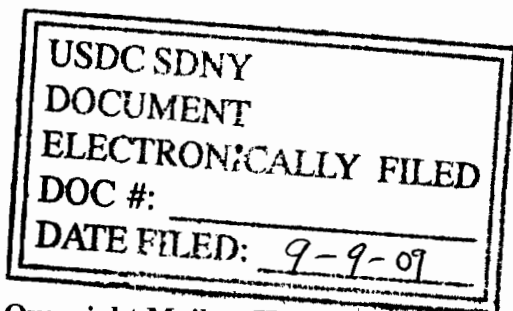




Verlagsgruppe Oetinger

Verlagsgruppe Oetinger Holding GmbH, Poppenbütteler Chaussee 53, 22397 Hamburg



1st of September 2009

By Overnight Mail or Hand Delivery

The Author's Guild et al v. Google Inc.

Doc. 330

Office of the Clerk
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007
United States of America

Re: *The Authors Guild, Inc. et al v. Google Inc.*, Case No. 05 CV 8136
(S.D.N.Y.).

Dear Office of the Clerk:

My name is Jan Weitendorf, and I represent "Verlagsgruppe Oetinger" as CEO and publisher - a book publisher located in Hamburg, Germany. Verlagsgruppe Oetinger and its several publishing companies, such as Verlag Friedrich Oetinger GmbH, Cecile Dressler Verlag GmbH, Verlag Heinrich Ellermann GmbH, Erika Klopp Verlag GmbH, NordSüd Verlag AG, (NorthSouth Publishing), Xenos Verlagsgesellschaft mbH, Atrium Verlag AG, Arche Literatur Verlag AG are members of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicative filings. We therefore join in the

objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations that includes the Börsenverein des Deutschen Buchhandels and others, for the reasons presented to this Court by those individuals and entities.


We are a publishing group mainly focused on children and juvenile fiction and non fiction publishing. We are dependent on our backlist titles of which we have several on our lists, that we have been publishing in many different editions since decades. Often we take books from our list for several months or even years, willing to republish those books later in accordance with our authors and rights-holders. We can not afford to loose rights to Google via internet – this way of selling books has to be one of our recoupment possibilities for the future. Germany has a price-binding for books, due to the wish of multicultural openness (also for very expensive books from the US) – not only linked to financial success. Internet is international, but literature should be protected internationally. Otherwise Google will be the only publisher left in several years, building up a society linked to George Orwell 1984...

As publishers representing the interests of our authors and other rights-holders, it is our right to decide ourselves which rights we sell through internet and which should not be offered.

In addition, we wish to inform this Court that the written notice of the Settlement Agreement our company received, after asking for a version, was only presented in English language and therefore was extremely difficult to read and included a number of meaningless or nonsensical terms. Later a translation which had obviously been translated very poorly did not explain those parts either. We present this letter to this Court in English, for the Court's convenience and it was translated for us.

Thank you in advance for your consideration of this letter.

Respectfully yours,


Verlagsgruppe Oetinger Holding GmbH
Jan Weitendorf
CEO / publisher

cc: Michael J. Boni, Esq.
Joanne Zack, Esq.
Joshua Snyder, Esq.
Jeffrey P. Cunard, Esq.
Bruce P. Keller, Esq.
Daralyn J. Durie, Esq.
Joseph C. Gratz, Esq.