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05-CV-8136

The Honorable Denny Chin
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007
Fax (212) 805-7906

Dear Judge Chin,

I am writing to support making the millions of books that Google has digitized reach the widest possible audience as quickly as possible. I am not writing to you as one with professional experience in the law. I wish instead to articulate something of the impact that this resource will exert. I hope that a business plan and subsequent agreement will emerge that will make those books available to the public at large. This agreement will, if enacted, give to Bunker Hill Community College better access to a more useful library than that to which I have access at Harvard University, the greatest university library on earth. This is a watershed event and can serve as a catalyst for the reinvention of education, research and intellectual life.

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

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I write this letter from several complementary and quite distinct perspectives:

As a Classicist, I write to you as one dedicated to preserving, creating and disseminating knowledge about the past to the widest possible audience. Those of us who study the past depend upon primary sources – the library is not just a place where we publish the results of our work. The library contains the published data upon which our articles and monographs depend. The Google collection can be for us comparable to historic projects such as the Human Genome and the Sloan Sky Survey.

As Professor in and Chair of the Department of Classics at Tufts University I write to you as a professor charged to support the interests of undergraduates, graduate students, and faculty who study the Greco-Roman world. For us, the Google Collection can be a foundation for the reinvention of our field, as we explore larger, more challenging research projects than were ever feasible before and as we teach our students to think critically about thousands of years of scholarship.

As a humanist who has since 1982 been work on the shift from print culture to a digital world I write as part of a broader scholarly community that is supportive of open access and open source publication. For humanists developing this new digital infrastructure, the Google collection can be an extraordinary catalyst. Even as we look to a truly digital environment and develop resources and activities that cannot exist in print, access to the collection of digitized books can provide us with the raw materials with which to build this new digital age. I have in particular had the privilege to conduct workshops in

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Europe and North America on the opportunities and challenges of mass digitization within the humanities, engaging dozens of humanists over two years. I have also have conducted research with funding from the National Science Foundation, the National Endowment for the Humanities, the Department of Education and the Mellon Foundation on building services for the humanities within large collections. So far I have concentrated on developing and using materials freely available from the Internet Archive. Access to Google's collection would be extraordinary step forward.

As the Editor in Chief of an open access digital library on the Greco-Roman world that began development in 1987 – long before Google was founded and before many recent undergraduates were born, I write to you as one who would augment the vast materials and services from Google with domain specific data. The knowledge bases that we have spent more than two decades developing can, we, when integrated with open services and broadly accessible collections from Google, contribute to a new and unprecedented environment for the study of antiquity. All of our work is openly accessible and we are committed to expanding the audience for Greco-Roman antiquity and for the past in general. If Google can make its collections accessible to an wide audience, then the possibilities for third parties such as ourselves to add value to Google's services and collections are immense.

As the father of two children now in college, I write to you with particular urgency. My older son is a senior and this agreement comes too late to have a significant impact upon his education. My younger son has, however, just moved into his freshman dorm. As a father and a professional scholar I thus write with a particular sense of urgency, for I have a profound sense of what the Google Books Collection means for intellectual life and for the intellectual development of our students. In this context, the discussion goes beyond abstractions. I feel a particular obligation, given my background and situation, to speak on behalf of the parents and students this settlement will affect, because I understand the importance of what Google has done and because the Google Books collection is such a radical advance upon what has ever been possible before. For these students and their parents, the house is on fire.

The Google Books Collection can advance the following issues.

1) **Physical access to the published record of humanity.** When I entered graduate school thirty years ago, I assumed that detailed knowledge of the past was accessible only in a handful of great research libraries, all situated within North America and Western Europe – print is expensive and we simply could not reach beyond a tiny network of academic libraries. Simple proximity to a great library did not provide physical access – only those who were physically present and who had the right academic affiliations could enter. The inequities of this environment were and remain profound. Even as an increasing amount of intellectual output became available in print form, the business models served the same elite institutions that flourished in print. We had thus a classic situation in which we replicated in the first generation of the digital age the very inequalities of print access.

If Google is able to make its digitized holdings available to the full range of academic institutions, then it will shatter inequalities so entrenched in tradition that we have often taken them for granted.

2) **Intellectual access.** Physical access is a necessary but insufficient condition for intellectual activity. A great deal of work has gone into methods by which to make documents intellectually more accessible. Information glut is not new – no one since the