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Universitätsverlag
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Universitätsverlag WINTER GmbH · Postfach 106140 · D-69051 Heidelberg

By Overnight Mail or Hand Delivery

Office of the Clerk
U.S. District Court for the Southern District
of New York
500 Pearl Street
New York, NY 10007
U.S.A.

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**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 Andreas Barth, and I am president of the UNIVERSITÄTSVERLAG WINTER GMBH, a book publisher located in Heidelberg, Germany. UNIVERSITÄTSVERLAG WINTER GMBH is a member 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.

In addition we would like to indicate, that

1. the Settlement Agreement in our believe infringes basic principles of international copyright agreements, to which also the U.S. have committed themselves,
2. the Settlement Agreement is likely to be inequable in terms of German authors and publishers, which by no means would see a fair potential to take juridical action against Google in matters of books falsely being characterized as being out-of-print (while still being available in Europe),
3. the representatives of U.S. publishers and authors (the Authors Guild and the Association of American Publishers), which have been involved in forming the Settlement, must not be regarded as effective representatives for their foreign colleagues, which would never qualify to become member in either one of these institutions, according to their constitutions limiting membership to U.S. authors and publishers only. Therefore it is essential to add more specific sub-classes to the Settlement Agreement.

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Dr. Andreas Barth
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The Author's Guild et al v. Google Inc.

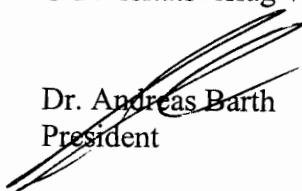
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Besides, we wish to inform this Court that the written notice that our company received of the Settlement Agreement in German was extremely difficult to read and included a number of meaningless or nonsensical terms and had obviously been translated very poorly. We present this letter to this Court in English, for the Court's convenience.

Thank you in advance for your consideration of this letter.

Respectfully yours,

Universitätsverlag Winter GmbH


Dr. Andreas Barth
President

cc: Michael J. Boni, Esq.
Joanne Zack, Esq.
Joshua Snyder, Esq.
Jeffrey P. Cunard, Esq.
Bruce P. Keller, Esq.
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