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Panels Highlight the Copyright Divide

Still more questions than answers over the role of copyright in the digital age

Divergent opinions were the order of the day at the 2008 On Copyright conference, held May 1 in Manhattan. Those who believe that in the Internet age copyright law stands in the way of free promotion went head to head with those who say copyright is the only thing protecting their business. Attitudes of the day's panelists toward the changing nature of copyright ranged from panic to eager embrace.

Of the four panels—on art, society, technology and law—the final two were the most dynamic. During a q&a following the law panel, a heated exchange about the Google Book Search Library Project took place between AAP lawyer Allan Adler and University of Virginia law professor Chris Sprigman, who had moderated the earlier technology panel and was now in the audience. In AAP's view, according to Adler, Google's book database, which includes copyrighted books scanned from libraries, is a valuable, illegally created asset against which Google can sell ads for its own gain.

Sprigman disagreed, saying Google was not competing with publishers, but offering a means of indexing books for research and other purposes. He suggested the AAP, which has sued Google on behalf of publishers, is merely holding out for a payment from Google.

Parallels were drawn between the changing shape of the music industry and book publishing throughout the day. During the opening panel on technology, *Here Comes Everybody* author Clay Shirky sounded what would become a recurring theme, questioning whether the digital age meant a shift toward nonmonetary rewards for artists' efforts. One singer who stood up for copyright protection was Suzanne Vega. On the final panel, "Art: Inspiration, Creativity and Ownership," moderator Paul Holdengräber of the New York Public Library played a medley of authorized and illegal versions of Vega's famous song "Tom's Diner." Vega noted that as a working mother, "if someone asks permission, I get paid."

Bestselling novelist Jonathan Lethem spoke about his own modest artistic

beginnings and expressed ambivalence about copyright, which allowed him to make a living, but, he felt, might not actually be a top priority to artists looking for the kind of recognition through viral promotion that copyright enforcement might prohibit: "Very few of the people copyright protects are incentivized by money, because there are a million better ways to make a living," Lethem said.

The society panel, "New Experiences; New Expectations," mostly focused on lawyer Tim Wu's interest in the recent trial in which *Harry Potter* author J.K. Rowling sued Steve Vander Ark when he announced plans to publish a book based on his popular Harry Potter Lexicon Web site. For Wu, the trial underscored the popular conception that a print book is more legitimate than an e-book: "Rowling didn't care about the Lexicon as long as it was online," he said.

While the conference, which was sponsored by the Copyright Clearance Center and held at the Union League Club, did not solve the problems facing lawyers, theorists, entrepreneurs and artists affected by copyright, it clearly showed that major players in publishing and other information-based industries have a wide array of reactions toward the current state of copyright, and that much work needs to be done to decide how to apply and change the laws that protect and restrict information.

—Craig Morgan Teicher