



Centre for British Studies, Humboldt Universität zu Berlin
Master in British Studies

Traditional publishers in the digital era

**An analysis of print digitization, e-books,
and where German and British publishers are now**

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Sandra Domke
Kiautschoustr.16
13353 Berlin
Sandra.domke@gmail.com

Supervised by:

Rita Gerlach and
Gesa Stedman

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List of Acronyms

AAP	Association of American Publishers
AKEP	Arbeitskreis Elektronisches Publizieren, Börsenverein des Deutschen Buchhandels
BA	Booksellers Association
DDB	Deutsche Digitale Bibliothek
DLI	Digital Library Initiative
DOI	Digital Object Identifier
DRM	Digital Rights Management
EDL	European Digital Library
FAZ	Frankfurter Allgemeine Zeitung
ISBN	International Standard Book Number
OCA	Open Content Alliance
PA	Publishers Association
PDF	Portable Digital File
PG	Project Gutenberg
TEL	The European Library
URL	Uniform Resource Locator
VAT	Value Added Tax
VLB	Verzeichnis Lieferbarer Bücher
VTO	Volltextsuche Online
ZEVEP	Zentralverzeichnis Elektronischer Publikationen

Publishing is part of a complex system of institutions and relationships that are rapidly changing in a world of speedy technological development. [...] Although books no longer hold a monopoly on cultural diffusion, they remain central to the development and distribution of knowledge.

Encyclopaedia article in 1995¹

I Introduction

Developed countries are currently undergoing fundamental structural changes – away from manufacturing economies to highly organised information societies. Needless to say that the internet plays a key role in this process: free access to information builds the base for this new societal concept. A very good example for this development is the European Union's aim to make itself "the most competitive and dynamic knowledge-based economy in the world" until 2010. The framework of the Lisbon Agenda sets the target to bring wide-spread broadband access to all the EU member states. The underlying aim is to make EU citizens more economically fit by providing them with immediate access to information. So is one of the four flagship projects of the *i2010 strategy* the Digital Library Initiative (DLI). The DLI's mission is to make Europe's cultural and scientific heritage available online, as the Union sees "a real demand for digital content among citizens as well as within the research community."²

Direct collaboration with publishers has so far not been on top of the European Digital Library's (EDL) agenda, as it is also not the case in most of the contemporary conducted digitization initiatives. If before the rise of the internet the publishing industry was the main engine for the spread of knowledge ever since Gutenberg's times, it is a critical question whether it can hold its position in the digital age. The online environment, in which anybody can register an URL, creates the opportunity "to by-pass the

¹Altbach, Philip G.; Hoshino, Edith S.: *International Book Publishing. An Encyclopedia*. London, Chicago, 1995. 271

² European Council: *Conclusions on the Digitization and Online Accessibility of Cultural Material, and Digital Preservation*. Official Journal of the European Union, C297/1, 7.12.2006. 2

traditional publishing/printing process".³ Apart from this, third parties started to digitize on a large scale copies of printed books on the mission to create freely accessible virtual libraries. It is therefore interesting to see how the industry traditionally concerned with the publication of texts, performs. The main aim of this thesis will therefore be to give an insight into traditional publishers' strategies to approach the digital era.

As it is the case with all new developments, the internet does not only pose threats to the publishing industry, it also opens up entirely new opportunities. There are in particular two fields in which publishers have the opportunity to gain additional revenues from the internet: Firstly, traditional publishing products, printed texts, have found an entirely new marketing and sales channel in the world-wide-web. Online bookselling, for example, has been a success story so far and is continuing to boom.⁴ For most front list titles at present detailed descriptions can be found in various online sources. Online retailing is successful primarily because of its convenience for the customer – books are products that do not need to be tried on in a store like clothes. They are usually purchased for their content, which can sufficiently be described online. It is almost an established standard for most publishers to make available all the descriptive parts of a book, such as cover, title page, table of contents, blurb, extracts and reviews for free consultation online. By now even sophisticated mechanisms are developed, as for example virtual browsing options, which give a realistic impression of layout and design of a title, in addition to descriptive title information. It is a generally accepted fact that better informed customers are more likely to buy a book online. Since 2000, Amazon, the global market leader in online bookselling, is successfully

³ De Bellaigue, Eric: British Book publishing as a business since the 1960s. London, 2004. 208

⁴ The global top ten for e-shopping in 2005 is lead with 34% by book purchases. cf. Booksellers Association, The: BA Reports Library: Online Shopping: Global Top10 e-shopping 2005.
http://www.booksellers.org.uk/industry/display_report.asp?id=474

exploiting this situation with its Search Inside programme. According to Genevieve Kunst, Head of Business Development Media at Amazon, every second title sold by Amazon in the United States stems from the Search Inside programme.⁵

The second, more challenging field, in which it seems less clear whether traditional publishers will be seeing gains or suffering losses, is the field of electronic publishing. E-publishing has a very broad definition: it can be any form of information that is able to be distributed electronically.⁶ According to this definition, all possible forms of digital contents, for example newsletters, institutional documents, press releases, online newsmagazines – even e-mails can be regarded as forms of e-publishing. For traditional publishers, however, only two forms of electronic publications are currently of direct concern: electronic books and electronic journals. Electronic journals have been well established in scholarly and professional use for more than a decade. The simplified accessibility, cross-referencing and citation options have made the concept of e-journals a huge success. However, in practice there is controversy about whether publishers, as rights holders, should be entitled to sell this precious information arbitrarily high-priced, as this may bring limitations to the progress of research and science. As an effect of the so-called “journal crisis,”⁷ open access initiatives have triggered the development of alternative distribution models for e-journals. These models are to ensure the free distribution of contents to the global research community and publishers’ revenues and their economic competitiveness alike. However, the market for e-journals is well documented by scholarly

⁵ cf. Roesler-Graichen, Michael: *Wichtiges Marketingtool*. Interview with Kunst, Genevieve. *Börsenblatt*, Heft 40, 04.10.2006

⁶ cf. IT Wissen: *Definition e-publishing (electronic publishing)*. In IT Wissen: Online-Lexikon für Informationstechnologie.
http://www.itwissen.info/definition/lexikon//_epublishingepublishing_epublishingelectronic%20publis_hingepublishing_epublishinge-publishing.html

⁷ The situation that research libraries started facing difficulty to pay the high subscriptions fees to e-journals has become known as the “journal crisis”.

literature. It will therefore not be a main subject of this thesis.⁸ The field of e-books, on the contrary, is at present explored to a far lesser extent. An ironic situation, as e-books' potential for mass appeal might be even higher than the one of e-journals. The European Commission acknowledges, for example, the fact that digital media, particularly e-books, are "becoming important in education at all levels."⁹ In their Publishing Market Watch Report they find that the internet is still used primarily as a marketing medium for printed books - rather than a "delivery channel for new products."¹⁰ Therefore the Commission would welcome a quicker establishment of e-books' common use and suggest that "public policy should support the migration of book publishing into the on-line environment."¹¹ This thesis will argue that e-books carry not only the opportunity to bring higher revenue streams to publishers. By actively participating in the creation of a knowledge society, publishers have the bonus of defining their own position in it. European publishers have described the competitiveness of their industry as "vital to the achievement of the Lisbon Agenda."¹² Nonetheless, the market for e-books is at present not exploited to its full extent. In 2002 e-books had less than 5% of the total book market share in most European countries.¹³ For the present situation no accurate data is available.

There are two major ways through which e-books currently reach the public: firstly the e-book market as controlled by publishers (including

⁸ C.f. e.g. the works of Stevan Harnad, Andrew Odlyzko, Swan, Alma and Brown, Sheridan

⁹ European Commission: *Publishing Market Watch. Final Report*. January, 2005. 106
http://europa.eu.int/information_society/media_taskforce/doc/pmw_20050127.pdf

¹⁰ *ibid.*

¹¹ cf. European Commission: *Commission's Approach to the Publishing Industry: Frequently Asked Questions*. MEMO 05/327, Brussels, 20.09.2005
<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/05/327&format=HTML&aged=0&language=EN&guiLanguage=en>

¹² cf. Federation of European Publishers: Dr. Bach: Speech to the Publishers' Forum, Brussels. 06.12.2005
<http://www.fep-fee.be/SpeechIAB-6-12-2005.pdf>

¹³ MEDRA (Multilingual European DOI Registration Agency): Zusammenfassung des Berichtes zur Marktforschung. December 2002. 4 http://www.boersenverein.de/de/69181?rubrik=78839&dl_id=64334

supply to libraries) and secondly via digitization programmes, conducted by third parties. Both these fields are still very new: e-books were only recognized as a new source of revenue by the publishing industry around the turn of the last century, while digitization initiatives started to take off on a large scale little more than two years ago. Scholarly literature on these fields is sparse and there is still a general lack of transparency in both these fields. This thesis will therefore provide an overview and analysis of both the e-book market and digitization initiatives. Each phenomenon will be analysed under the particular aspect of which chances and threats it brings to the European publishing industry, as well as what impact it can have on the creation of a knowledge society. To this aim, the thesis contains three main parts: the first part performs a market analysis for e-books, the second part is concerned with an overview of the major digitization initiatives, and the third part of this thesis is used to present and analyse the results of a personally conducted "digital field study". The aim of this field study is to establish how market-leading European publishers exploit the internet. Is the new medium currently used primarily for the marketing and sales of print products, as the European Union's Publishing Market Watch suggests?¹⁴ How far are traditional publishers actively starting to sell their contents in the form of electronic books? As it is a well established fact that traditional publishing industries "have a very strong national basis",¹⁵ it will be further established whether these national boundaries still prevail in a global digital market place. To examine publishers' activity in the aforementioned fields is important because, as this thesis will show, public awareness about them is low. Moreover, media coverage may lead to a wrong impression about the e-publishing and the virtual library sector. This

¹⁴ [Commission 2005] 106

¹⁵ Federation of European Publishers: *FEP response to Communication from the European Commission "2010: digital libraries."* 2. <http://www.fep-fee.be/images/FEP%20response%20to%20Communication%20European%20Digital%20Libraries.pdf>

is dangerous, as it may not only be counterproductive for the industry – but also might bring obstacles to user acceptance of new technologies, in other words it could hamper the development of the knowledge society. In this sense, this thesis, in part, pursues a mission of enlightenment. A final aim will be to set the developments identified in the three main parts of the thesis – the significance of the e-book market, digitization initiatives and publishers' approaches to these - in relation to each other and to evaluate their impact on the formation of the European knowledge society. In which ways will European people pursue quality information? What will the future virtual library look like? And finally, which part can traditional publishers play in this?

Since this thesis is in general concerned with the creation of a knowledge society¹⁶, the main focus will be on classical sources of knowledge: in a broad sense that is non-fiction, in a more particular sense this thesis is concerned with scientific, academic and professional books. As the chapter on the e-book market will explain in detail, non-fiction e-books have at present the largest potential for quick and firm establishment on the market due to their usability for academics and professionals, or in principle to anybody who wants to use such contents for purposes other than leisure. When talking about Europe, this thesis is in particular concerned with the situation in Germany and the United Kingdom. In all examined fields an explicit focus will be on these two countries, as they dominate the book publishing market at present. These two countries account for two thirds of the entire European market, whereas the remaining 23 member states constitute just a third of it.¹⁷ Consequently, these two countries report the largest title availability. 1125,000 produced titles in

¹⁶ To define the concept of "knowledge society" is not an aim of this thesis. The definition the thesis is adopts, stems from the Lisbon agenda: the knowledge society is an economically competitive society, based on universal access to information and services online.

¹⁷ Department for Trade and Industry: *UK Government Response to the EU Commission Staff Working Paper "Strengthening the competitiveness of the publishing sector"*. London, 22.11.2005. 5
<http://www.dti.gov.uk/files/file13780.pdf>

the UK and about one million in German are currently available within the Union.¹⁸ Furthermore they are selected as they present different models. The German publishing industry operates rather self-sufficiently on the German language market,¹⁹ whereas the United Kingdom's industry is traditionally bound closely to the American market.²⁰

As to the timeframe of the examinations, this thesis takes into account the developments within the period of the year 2000 to the present. This period is chosen for two reasons: firstly, when talking about the Agenda 2010, the years 2000-2010 are directly concerned. Secondly, in 2000 most publishers entered the field of electronic publishing for the first time.²¹ As outlined before, the fields of e-books and print digitization are quite new and still on the rise. Not many scientific publications have been released on these topics, and the scarce research has been published mainly in electronic form. Most of the sources this thesis will draw on are therefore primary internet sources, as for example websites, PDF documents, various institutional reports and press releases. The digital field study and the individual case studies are also based on a mix of these sources. In addition, personal telephone interviews²² as well as personalized email enquiries²³ were conducted in order to gain the relevant information.

¹⁸ Federation of European Publishers: *European Book Publishing Statistics 2004. Executive Summary*. 1
<http://www.fep-fee.be/FEP%202006%20Stats%20Final-FEPcomments.pdf>

¹⁹ The German language market includes mainly Germany, Austria and Switzerland.

²⁰ The following chapter will show this in more detail.

²¹ cf. AKEP: *Branchenumfrage 2002, Einstieg in das Geschäftsfeld Elektronisches Publizieren*.
http://www.boersenverein.de/de/69181?rubrik=69174&dl_id=64400

²² An overview of the ones directly quoted is listed at the end of this thesis' references.

²³ An example for such an email enquiry can be found in the appendix of this thesis.

II The European e-book market: an analysis

II.1 Introduction

Hardly any significant articles concerning the issue can be found in the archives of leading British or German newspapers. For example, when browsing the online archive of "Die Zeit" for "e-books"²⁴ I was only able to find three remotely related articles from the years 1999 and 2001. The FAZ archive produces, depending on the search term, up to 42 articles from the past 13 years (which averages about 3,2 articles per year), with the majority of them reporting new book releases, for which it is plainly noted that an e-book version is also available. The same goes for the Guardian archive, where the coverage on "ebooks" results in 11 to 20 articles per year being comparatively high. However, detailed covers as for example a background story about e-books, appear rarely. The Times' archive highlights twenty articles regarding e-books if you search it for the past five years, which brings it to a maximum average coverage of the topic of four times a year. I believe these few examples illustrate sufficiently that e-books as a topic have not entered the public domain yet. A situation that is most likely to change, as soon as e-books reach mass-appeal. Once virtual libraries are firmly established, e-books can serve as a widespread means of gathering quality information. Perhaps then, e-books will be broadly recognized as a milestone for the knowledge society, as e-book enthusiasts are already describing the phenomenon at present:

In the history of knowledge and scholarship, e-books are as important as the Gutenberg press, invented five centuries ago. Many would say that they constitute a

²⁴ I also searched each of the sites for the variations „ebook“, „e-book“ and “ebooks”.

far larger quantum leap. E-books are public goods. (...) Anyone with access to minimal technology or even the oldest computers can read e-books.²⁵

Which e-books are public goods, and which ones are not – and how even copyrighted e-books could contribute to this “quantum leap” of the knowledge society, will be the subject of this chapter, as it shows a basic market analysis of e-books. After a definition of the vague term “e-book” and a short overview of its intricate history, it will be shown how they are distributed at present, and how these solutions function in detail. Further focus will be on opportunities for greater growth of the sector as well as on barriers that may hamper a thriving e-book market. Finally opportunities and threats of the e-book market will be set in relation to each other in order to identify the future potential of the market and to prove that a lot has changed since 2001, when Clifford Lynch²⁶ famously suspected that “more words are being published about the e-book phenomenon in print than have actually been placed into e-books”.²⁷ Especially with the large scale of print digitization, that will be subject of the second part of this thesis, thousands of new e-books are being produced every day. Apart from the transformation of out of copyright print titles into an electronic format by third parties, publishers themselves are implementing their own electronic publishing solutions, as the third part of this thesis will show.

II.2 What are e-books?

When writing on e-books, first of all, the subject needs to be defined. If the term “electronic publishing” is vague, “e-book” can be even more confusing.

²⁵ cf. Vaknin, Sam: *The Ubiquitous Project Gutenberg. Interview with Michael Hart, its founder*. 15.11.2005. <http://samvak.tripod.com/busiweb46.html>

²⁶ Clifford Lynch is the executive officer of the Coalition for Networked Information and is one of the few “e-book gurus”. He has, for example, become known as the first to define the term “e-book”.

²⁷ cf. Lynch, Clifford: *The Battle To Define the Future of the Book in the Digital World*. In: *First Monday*, volume 6, number 6, June 2006. http://www.firstmonday.org/issues/issue6_6/lynch/ Lynch, 2001.

Therefore Clifford Lynch's distinction "between the idea of a *digital book* and a *book-reading appliance*"²⁸ is still a valid and useful help, when trying to define the term. During the time of the e-book rise in the 1990s, "e-book" was commonly understood as a *book-reading appliance*, or in other words as a dedicated e-book reader. This piece of hardware has been designed to no other means than competing directly with the physical book, perhaps even replacing it. The first such device which reached some popularity around 2000 was Nuvomedia's Rocket eBook. This "most popular dedicated ebook device"²⁹ is no longer manufactured at present – dedicated e-book readers in general have so far not been able to acquire a significant market position, and unless truly revolutionary techniques are developed, it is highly unlikely for them to win the competition against the cheap and convenient paper format, the print version of a book.

The case is different for another meaning of e-book in the sense of a *digital book*, which relates to the actual content. In this second sense e-books can be viewed as electronic versions of printed books, made accessible with help of e-book reading software. The content is identical – only the form differs. This is underlined by the fact that these digital copies usually can be identified by the same ISBN number as the respective print titles. At present the e-book resembles in its structure the traditional print book. Thus an e-book contains a cover, title page, table of contents, with individual chapters, perhaps with a preface or an index and a blurb or acknowledgements. Such e-books can be read on any personal computer, laptop or electronic device on which free e-book reading software is installed. Special, or dedicated hardware for reading the e-book is not needed. The most common e-book reading software at present is the Adobe eBook Reader, which views the widespread portable digital files (PDFs), the Mobipocket Reader and the Microsoft eReader. All of

²⁸ [Lynch, 2001] 4

²⁹ cf. product description at

<http://www.planetebook.com/mainpage.asp?webpageid=15&TBToolID=1115>

these can be downloaded for free, either from their own websites or directly from sites that offer e-books for sale or free download.³⁰ In this thesis the focus will be entirely on the second definition of e-books as electronic content or, in Lynch's words: digital books. Whereas the market for dedicated e-book readers has failed in practice, it will be shown in this chapter that the market for "digital books" is a future growth market, particularly in the field of non-fiction. Unless stated otherwise, the term e-book is used in the following exclusively to represent the content-oriented digital book.

II.3 History and tracking of the European e-book market

As there is no commonly established definition of the term e-book, it is no surprise that an in-depth history of the e-book market has also not been written yet. However, when searching for information on the issue, the first impression one can get from a combination of different sources³¹ is that whilst during the late 1990s a predominantly positive picture of the new market prevailed, in the early 2000s the attitude towards e-books turned into a rather negative one. Publishers showed a "de-emphasis" regarding the e-book market in 2002, as they did not immediately achieve the large profits they were hoping for.³² Furthermore a number of discouraging events for the "e-book" took place around 2003: the Gemstar dedicated e-book reader stopped being distributed in European markets,³³ the digital market place at the Frankfurt Book Fair was temporarily abandoned,³⁴ Amazon banned the e-book section from their homepages and started to redirect customers

³⁰ For a discussion of particular characteristics, advantages and disadvantages of these readers see: Bennet, Linda: *E-books – the options. A manual for publishers*. London, 2006

³¹ I will quote in the following the BBC, the Guardian, Heise online, Spiegel, FAZ and others.

³² Alexander, Alison.: *Printed Books and the Impact of New Technologies*. 135 in: Alexander, Alison, a.o: *Media Economics. Theory and Practice*. Third Edition. Mahwah/London, 2004.

³³ <http://www.buchmarkt.de/archiv/index.php?mod=news&q=%2Bebooks+&seite=2&page=8250>

³⁴ cf. <http://www.heise.de/newsticker/result.xhtml?url=/newsticker/meldung/40978&words=E-Book>

interested in e-books to their subsidiary Mobipocket,³⁵ and on top of all, the e-book was declared dead in the press.³⁶

A key problem with such a listing of the aforementioned events is again connected to the lack of a universally accepted definition of e-books: a differentiation of the e-book market's various aspects is not given, when attempting to piece together the history of e-books from individual patches of information. The danger is that a generalising and flawed impression is created all too easily. Unquestionably dedicated e-book readers failed to convince the mass of readers to replace their personal book collections with a single high-priced electronic device, due to an often stressed poor on-screen reading quality. To call the failure of dedicated e-books to establish a sizeable market the death of "e-books", however, is inappropriate, as it just concerns the hardware section of the entire e-book market. Another problem of "e-books" often stressed is their inflexibility at the present state of its development – as for example an e-book cannot be taken into the bath tub. This often-quoted disadvantage should also not be generalized and overestimated. The disadvantage of lacking reading convenience and mobility concerns mainly fictional texts, as those are the ones primarily read for pleasure during leisure hours. In an academic or professional environment, where texts are used not for leisure but for work purposes, on-screen reading does not pose a limitation to the reader, but in fact turns into an advantage: non-fictional electronic texts offer simplified quotation, search and cross-reference options, to the benefit of any working progress, of which on-screen reading is an integral part. A study of benefits the e-books can bring to academic libraries provides an excellent summary of these strengths:

³⁵ http://www.amazon.com/exec/obidos/tg/browse/-/551440/sr=53-1/qid=1165774140/ref=tr_39791/002-4798119-1772847,

³⁶ c.f. e.g. Frankfurter Allgemeine Zeitung: Ende einer Aufladung: Das E-Book verläßt den deutschen Markt. 03.06.2003.

<http://www.faz.net/IN/INtemplates/faznet/default.asp?tpl=common/zwischeneseite.asp&doux={2A0A0865-CCAA-E550-C959-3736CAFB22A4}&rub={1DA1FB84-8C1E-4485-8CB8-7A0FE6AD1B68}>

Content can always be accessible, regardless of time or place, to be read on PCs or on portable book readers. Books need never go out of print, and new editions can be easily created. Features such as full text searching, changeable font size, mark-up, citation creation, and note taking will enhance usability. Print text can be integrated with multi-dimensional objects, sound, and film to create a whole new kind of monographic work.³⁷

The provision of *useful* non-fiction e-books, is gaining more and more significance at present. When the first e-books came out it was primarily bestselling fiction, offered as a mirror of what has been working well on the print market. Whereas e-book fiction initially failed to be a success, non-fiction e-books have seen a rapid growth in their distribution and are at present “much better established”.³⁸ It would be a premature conclusion to view the entire e-book market as a failure on the basis of an undifferentiated examination.

It is not clear how many e-books are currently available on the European market. Even for separate countries individual statistics concerning the e-book market simply do not exist. The British Publishers Association and the German Börsenverein have not been able to provide specific information or directions to adequate sources during my research for this thesis. Occasionally figures are published by non-official channels, as for example the vague statement that Germany has seen 80,000 new releases of e-books every single month of 2001.³⁹ In this example it is neither specified from which sources these e-books derive, whether they are released by publishers or third parties, nor how many titles there are in total – and let alone where they can be found. As my following research will show, there is no such source in Europe that would contain a volume of titles close to this alleged monthly output of the German system.

³⁷ Snowhill, Lucia: *E-books and Their Future in Academic Libraries*. D-Lib Magazine, volume 7, number 7/8. July/August 2001. 2

³⁸ [Bennet 2006] 1

³⁹ cf. Nuri, Midia: *E-book II: Stöbern in Virtuellen Bibliotheken*. Faznet, Oktober 2001
http://www.ciando.com/help/presse/faznet011010/011010_faznet.html

The missing sales statistics, the fact that no “tracking” has been established, and the resulting general disorientation in the e-book sector have led the European Commission to conclude that there is a “lack of a current proven market for paid-for e-books” in Europe at present.⁴⁰ Consequently, in their Publishing Market Watch Report there is no individual chapter dedicated to the e-book market in Europe. This chapter aims to close the gap and provide such material.

II.4 Favouring conditions for the e-book-market

In 2006, the e-book market, particularly in the field of non-fiction, showed an increasing potential for further growth. As outlined above, the common assumption of the e-book’s sudden death as spread by the media has not been adequate. Speaking in general terms, the e-book market may have got off on the wrong foot, when initially huge investments were made into the fiction and dedicated e-book sector. Although on the whole the e-book market may have seen dead ends and turns in its development⁴¹, both the publishing and software industry have learned from mistakes made in the past and continue to invest into the growth of this sector, as with e-books “it’s about evolution, not revolution.”⁴² Basically everything in this market has to be developed from scratch: e-book collections and reading solutions alike, may these be technical devices, software or digital rights management approaches. All of that takes time – and effort. Publishers seem to have recognised this and continue to invest into e-book solutions, as the case studies in the following chapter will demonstrate. A recent survey conducted by AKEP, the electronic publishing working group of the Börsenverein, reveals that an increasing

⁴⁰ [Commission 2005] 106

⁴¹ As I have outlined in the previous subchapter, when providing an overview of the history of e-books.

⁴² cf. Coyle, Karen: *E-Books: It’s About Evolution, Not Revolution*.

Library Journal, 15.10.2003

<http://www.libraryjournal.com/article/CA323334.html>

amount of German publishers does not expect to make short term profits in the field of electronic publishing, whereas 72% expect their turnovers to rise in ten years' time.⁴³ However, it has to be questioned how reliable these estimates are⁴⁴ and whether they can possibly represent a European trend. Nonetheless, when consulting further sources this survey's findings seem to be in line with the general conjecture that the e-book market is, slowly but surely, gaining more and more significance. In the United States e-books are already part of the annual statistics of the Association of American Publishers (AAP) since 2002.⁴⁵ They had a turnover of \$13billion in 2005⁴⁶ and are a well-established lending material in American public libraries. A recent UK library report views it as "only a matter of time" until Europe will show comparable developments.⁴⁷ Zevep.com, a central register for scientific and scholarly electronic publications was launched in Germany in January 2006, providing simplified access to more than 150,000 e-books,⁴⁸ and the British Publishers Association has just issued an up-to date module for publishers, titled "EBooks: the Options".⁴⁹ However, the probably most convincing case for e-books is, to avoid the term boost,⁵⁰ their increased market share in the retail and library sector. Ciando, Germany's market leading e-book store, reports that the demand for their e-books has doubled between 2004 and 2005.⁵¹

⁴³ AKEP, Arbeitskreis elektronisches Publizieren Börsenverein des Deutschen Buchhandels: *Branchenbarometer elektronisches Publizieren 2006*. Oktober 2006. 3
<http://www.boersenverein.de/sixcms/media.php/686/Branchenbarometer2006.pdf>
[AKEP 2006]

⁴⁴ Only German Börsenverein members were targeted in this survey. Out of 1,812 publishers, only 82 responded to the questionnaire. The reasons for the low response rate might be that a majority of small and medium-size publishers is not involved in the field of electronic publishing yet.

⁴⁵ cf. <http://www.publishers.org/>

⁴⁶ cf. [Commission 2005]

⁴⁷ cf. [Garrod, 2003]

⁴⁸ cf. www.zevep.com Zentralverzeichnis elektronischer Publikationen.

⁴⁹ [Bennet, 2006]

⁵⁰ The term "boost" might not be entirely appropriate considering the tiny fraction of market share within the whole publishing industry. According to the AKEP Branchenbarometer 2006, for example, German publishers estimate the share of electronic publishing products to be around 5% of their total revenue.

⁵¹ Ciando: *Das eBook: Nachfrage verdoppelt sich*. Ciando press release, 17.10.2005.
http://www.ciando.com/help/pm/051017_pm_50000.html

Ciando specialises on non-fiction titles, or with the German term on the so-called “Fachbuch”.⁵² Whereas in 2005 the total number of titles available from Ciando was around 5,000, at present they offer more than 15,000, three times as many, titles. Margerete Rathe, who is responsible for Ciando’s PR, explains that their title volume increases by leaps and bounds due to the fact that publishers can contribute large numbers of titles of their programmes at once when they start cooperating with Ciando. The company currently works with more than 150 publishers, with new publishers seeking partnership every month. Even though Ciando is targeting the German and not actively approaching other European markets, international publishers like Oxford University Press have approached the German e-book store and are now selling their titles through them to German customers.⁵³ There is a monthly growth rate of 10-20% for sales through www.ciando.com,⁵⁴ additionally their e-books are sold through other retail channels such as “traditional” online bookstores like www.buch.de, a subsidiary of Thalia, or the Bertelsmann-owned www.bol.de.⁵⁵ Ciando, with their 60,000 registered regular customers, is the biggest but not the only e-bookstore in Germany. There are several other, smaller e-bookstores like www.beam-ebooks.de that offer downloads of paid-for e-books.⁵⁶ Also the German book wholesaler and online retailer Libri started to offer about 10,000 e-books on www.libri.de recently.⁵⁷ All these developments strongly point in the direction of the growing demand for e-books and an according increase in the significance of this market in Germany.

⁵² There is no definition of the term “Fachbuch” as such, but it commonly is used to describe books with contents that are not read for pleasure, but in order to gain information on some specific topic.

⁵³ Telephone interview with Rathe, Margarete - Ciando managing director and head of PR. 14.12.2006

⁵⁴ cf. Ciando: *Ein Buchhandel der nächsten Generation*. PDF Verlagspräsentation, available at <http://www.ciando.com/doc/verlagspraesentation.pdf>

⁵⁵ <http://www.buchmarkt.de/archiv/index.php?mod=news&q=deutsche+verlage&seite=&page=24490>

⁵⁶ A link collection for more German e-book sources can be found at <http://www.emaerkte.de/ebooks.shtml>. Although not complete, as for example www.ebookportal.de is not included, this collection gives a good overview of sizes and international linkages.

⁵⁷ <http://www.libri.de/shop/action/magazine/6/ebooks.html?jsessionId=fdc-zrk1isuomh5.www11>

The starting situation for a retail e-book-market in the UK is slightly different, as the English language e-book retail market is dominated by non-British companies. The market leader www.ebooks.com, the online shop of the Australian Ebooks Corporation, offers more than 69,000 e-books for immediate purchase. The UK Publishers Association recommends this e-book retailer out of many others as the first one to have offered a full text search function and “rapidly growing in popularity in Europe”.⁵⁸ Again, this e-book store is the market leader and therefore just one of many other English language stores.⁵⁹ With an established e-book market in the US and no due taxes on e-books for purchases made outside the EU, British e-book customers might be well enough catered for by existing overseas’ services. Leading academic UK publishers like Cambridge and Oxford University Press are also directly cooperating with American retailers, rather than with British ones. In fact, up to the present there is no exclusively British e-bookstore. European companies as the German Ciando or the French Bookeen⁶⁰ have no direct equivalents in the United Kingdom as such. At present the single truly British source for e-books is the e-book section of WH Smith’s website. The fact that two years ago this stationary and multimedia store started to penetrate the heavily American dominated English language e-book market indicates that there is indeed a potential for a viable and independent British e-book market. WH Smith does not directly disclose what the advantages of their services are, in comparison to, for example, American ones. Nonetheless, they hint at the fact that they have exclusive agreements with British publishers. “While we are unable to comment on the offerings of other services, there may be a few sources available only through WH Smith, such as from Dorling Kindersley

⁵⁸ [Bennet, 2006] 36

⁵⁹ cf. www.ebookmall.com, www.fictionwise.com, www.franklin.com

⁶⁰ The French www.ubibooks.com is available in six different languages, offers more than 25.000 titles and is the e-bookstore of <http://www.bookeen.com/home/Default.aspx>

Limited,”⁶¹ their e-book support team answers to my enquiry. A “US bias” of the e-book title range has been criticised as a main disadvantage for the UK library sector before.⁶² The US aggregator Netlibrary is therefore currently working on a solution for “providing content which meets the needs of European customers.”⁶³ It can be assumed that WHSmith is trying to supply for a comparable demand in the European retail landscape. In how far the approach of exploiting the demand for specific European needs will be successful in taking away customers from overseas retailers and winning them for a British service, will be interesting to observe in the future.

E-books are not only gaining more and more importance on the retail market. Libraries are also increasingly active in searching their own solutions in e-book lending options. The current situation with library e-book supply is still not far developed and remains very patchy, particularly with regard to e-book lending policies. Only a few libraries conduct digitization processes themselves, which will eventually enable them to lend their own copies to their readers directly. As these processes are expensive and time-consuming, they are in most cases realised in collaboration with third parties and usually concentrate on out-of copyright material only, as the following chapter on digitization illustrates in detail. The common way for libraries to acquire electronic books is via subscriptions to either publisher specific e-book programmes or to bigger digital library content providers, so called e-book aggregators. The global market leader is the American netlibrary.com.⁶⁴ Its

⁶¹The WH Smith eBook Support Team, quoted from an email-reply to my previous enquiry about the advantages of a UK service compared to US ones. Email address: whsmith-ebooks@overdrive.com. 12.12.2006

⁶² cf. Garrod, Penny; Weller, Jane: *Ebooks in UK public libraries: Where are we now and the way ahead.* An issue paper from the Networked Services Policy Task Group, Number 2 - January 2005. <http://www.ukoln.ac.uk/public/nsptg/e-books/#1>

⁶³ *ibid.*

⁶⁴ [Bennet, 2006] 31

main competitor Ebrary⁶⁵ is also based in the United States. These two aggregators are widely supplying the demand on UK library territory. In Germany Ebrary and Netlibrary are present, but less dominant, due to the fact that they deliver e-books predominantly in the English language. German providers are therefore entering the scene: Ciando has recently started to provide an e-book lending scheme to middle-sized libraries,⁶⁶ Zevep is committedly working on such an option,⁶⁷ as is Divibib, a subsidiary of the German EKZ.⁶⁸ To gain a deep understanding of the digital library sector, its technical as well as digital rights management solutions, appears to me a important topic for further research. There is generally very little published on how university or public libraries implement the new technologies, in particular e-books. A report on the creation of the digital library at Cornell University declares right in the beginning that the “digital library territory is so vast, diverse, dispersed, interdisciplinary, and complex that there is not even a generally agreed-upon definition of “digital library”.”⁶⁹ Regarding the specific use of e-books in a public library there has been one recent and worthwhile study conducted in Ireland.⁷⁰ But there is no large scale research or best practice guide of how to set up e-book lending schemes. Such a study would be of tremendous help to libraries, the industry, readers and all other parties involved in this complex field.

To summarise the favoring conditions for a thriving future e-book market: E-books are well established in library and retail sector of the United States.

⁶⁵ [Bennet, 2006] 34

⁶⁶ Ciando: *E-book Lösung für kleine und mittlere Bibliotheken gestartet*. Ciando press release, 28.11.2006
http://www.ciando.com/help/pm/061121_pm_bibportal.html

⁶⁷ Posth, Sebastian - managing director of Zevep in a telephone interview on 07.12.2006

⁶⁸ EKZ stands for Einkaufszentrale für öffentliche Bibliotheken GmbH. This company is market leading service provider for German public libraries.

⁶⁹ Susan J. Barnes: *Becoming a Digital Library*. New York, Basel, 2004. ix

⁷⁰ The study analyses a National Library trial-subscription to Safari. The study delivers an excellent example of how e-books have successfully been implemented in the library system and found wide-spread readers acceptance. cf. Cox, John: *E-books: Challenges and Opportunities*. D-Lib Magazine, Volume 10 Number 10, October 2004. <http://www.dlib.org/dlib/october04/cox/10cox.html>

Given the ever-growing importance of the internet as a mass medium, a similar future development on the European market is expected. The success of market-leading e-book stores, the demand for e-book aggregators as well as the continuing investments on publishers side do all point in the direction that e-books will take on a significant position in the future media landscape.

II.5 Obstacles to the e-book market

So why is it that e-books have not reached mass-appeal yet, whereas, for example, at the same time music downloads are booming? What have been the obstacles for a thriving e-book market in Europe up to the present? Apart from the most common explanation, that the reading quality of e-books has not been developed in a satisfactory way yet, which, as I have shown before, is of primary concern to the fiction e-book, the biggest obstacle to a thriving e-book market at present certainly is the often quoted lack of standards, in various areas of the e-book market. According to the AKEP 2006 annual survey of the electronic publishing sector in Germany, 61% of German publishers, who offer electronic products, find that effective standards for electronic content-data-transfer are missing, while 65% believe, that unified standards will be introduced in the future.⁷¹

Standards in data-transfer and metadata-provision, the so-called “tagging”, are just one sector for which unified solutions are not sufficiently developed. In the United States, the Independent Digital Publishing Forum (IDPF), formerly known as the Open eBook Forum, is driving the agenda for non-proprietary distribution forms of e-books. They have just released a brand-new format that promises better integration of older data.⁷² However, an older solution of IDPF largely supported in Europe is the Digital Object

⁷¹ [AKEP 2006] 3

⁷² Bogaty, Nicholas: *New Digital Book Standard Released. Software Companies and Book Publishers Announce Implementation Plans*. IDPF press release, 30.10.2006.
<http://www.idpf.org/pressroom/pressreleases/ocf1.0.htm>

Identifier (DOI). The use of DOIs is, for example, well established for e-journals, as it simplifies the citation procedure for users. The British ISBN agency Nielsen Book Data already lists DOIs for e-books, if applicable. The German ISBN agency Verzeichnis Lieferbarer Bücher (VLB) is currently working on a solution to include DOIs in their listings as well.⁷³ However, as tagging and metadata issues do not directly affect the e-book customer, I will not explore this highly complex issue here. In the following further standard-lacking areas will be examined in more detail, as it is the case in the fields of digital rights management, pricing and taxation.

Just as it is the case with traditional book stores and print books, e-book stores have to hold the e-books in stock, if they want to sell them. In order to “host” e-books themselves, they need special delivery agreements with publishers. Publishers, on the other side, are interested in keeping their content under control when handing them over to others. Digital rights management (DRM) remains therefore a sensitive issue in the online environment. Publishers do not only need to choose their cooperating partners in a new, opaque and unexploited field, even more carefully they need to negotiate conditions for the terms of use of their contents. Furthermore they have to develop control mechanisms in order to ensure that their contents are used to no other than the agreed terms, not only by the e-bookselling partner, but also by the end customer. Publishers’ interests can, particularly on this territory, substantially conflict with customers’ needs. For example, return policies for e-books are not even developed yet.⁷⁴ It creates substantial problems to ensure that the e-book bought is not just copied and further distributed before it is returned. Therefore so far, publishers and online bookstores alike just do not offer returns of e-books. This is a not particularly customer-oriented solution, due

⁷³ Waldenmaier, Cornelia – Verlegerausschuss Börsenverein. Telephone interview on 19.12.2006

⁷⁴ The US market leader Ebooks.com states that “refunds will be given at the discretion of the Company Management.” Although this statement is far away from representing a retail policy, it acknowledges the customers need for having the option to return. <http://www.ebooks.com/help/FAQ.asp#refunds>

to which the purchase of a print book has yet another advantage at present. Another related issue is the resale of a “used” e-book. The second hand market for print books is well established – why should the customers want to abstain from their right to re-sell their unwanted property, as they do with used print books, for example on Ebay or Amazon? The establishment of standard DRM solutions, which aim at creating a “secure environment for the distribution and consumption of digital contents,” is currently supported by the Commissions’ Directive 2001/09 on harmonisation. However, the main incentives for establishing standards in this field have to come from the publishers themselves:⁷⁵

Publishers regard DRM as an enabling technology that can facilitate the development of new business models, with increased control over content and more precise definitions of the rights associated to the assets they commercialise. In any case, the consolidation of these DRM systems follows a market-driven approach, where public authorities just play a facilitating role for the moment.⁷⁶

However important content protection may be – customer-friendly standards for the handling of these essential issues need to be developed in order to secure a widespread acceptance for paid-for e-books and a sustainable market. As there is currently no guidance for best practice available to the industry, DRM is a useful and well-suited topic for future research.

Another problematic area is the pricing issue for e-books. The VAT rate for books in Germany is reduced from the general 16 to 7%. In the United Kingdom VAT does not apply to printed books at all. This is not the case for electronic products, a category that e-books fall under: within the European Union the full VAT rate applies, depending on the VAT rate of the country

⁷⁵ Commission of the European Union: *Commission Staff Working Paper. Strengthening the Competitiveness of the EU publishing sector. The role of media policy*. Brussels, 7.10.2005. 21

http://europa.eu.int/information_society/media_taskforce/doc/comm_pdf_sec_2005_1287_1_en.pdf

⁷⁶ *ibid.*

where the purchase is made.⁷⁷ In the UK this is an additional 17.5%, and in Germany soon enough 12%⁷⁸ on top of the price for a print book, if it is bought in the electronic version. Some e-book retailers lower their net retail prices, so that the customer does not need to bear the VAT price difference. However, the tax situation for electronic publications at present can only be viewed as a shortcoming of European policy. On the one hand the EU pursues the strategy of creating a knowledge society and investing on a large scale into broadband access for the European people. On the other hand, high quality electronic contents are taxed in a way which hampers competition, whereas in the United States, where the e-book market is working well on a large scale, there are no taxes on electronic publishing products at all - why not in Europe? In Germany, for example, this situation has explicitly been interpreted as an obstacle to free research, as libraries are, due to higher prices, not able to acquire all the electronic publications they wish, but instead have to purchase the cheaper print version.⁷⁹

Another disadvantage for European e-book consumers is the small range of e-book titles offered at present. With 15,000 paid-for e-book titles available on the German market, 25,000 in France and about 10,000 in the UK, European customers are not given much choice compared to the numbers of titles available in print. For example Germany alone has seen the release of 78,000 new print titles within the last year.⁸⁰ Of course here one has to keep in mind that the e-book market is still very young. The fact that a comparatively low number of titles is available is obviously connected to the problematic lack of standards, which hamper a rapid growth of the e-book market. How to tackle

⁷⁷ See for example Amazon's VAT policy guide:

<http://www.amazon.co.uk/gp/help/customer/display.html?nodeId=502576>

⁷⁸ The bound retail price for German print books includes 7% VAT. With a VAT rate of 19% applying to e-books from 1st of January 2007 onwards, the price for them will be 12% higher than for print books.

⁷⁹Jockel, Stefan: *Studie der Frankfurt Group zeigt: Mehrwertsteuer auf elektronische Publikationen benachteiligt die deutsche Wissenschaft*. Deutsche Nationalbibliothek press release, 24.10.2006.

<http://www.ddb.de/aktuell/presse/pressemitteilung/frankfurtgroup.htm>

⁸⁰ cf. <http://www.was-verlage-leisten.de/content/view/18/68/>

the outlined obstacles appears to me as yet another suitable topic for further research.

II.6 Conclusion: a definite future market

Profit margins of the e-book market on the whole are still much lower than those of the print book market at present. When stressing this, one has to keep in mind that also the numbers of titles available are significantly lower than in the print market. Generally, when describing the “e-book market”, differentiations and clear definitions are essential, as I have shown at the beginning of this chapter. There is evidence to believe that the non-fictional digital book market will gain immense significance, as soon as the outlined distribution, pricing and legal issues are solved. Particularly in the working environment of academics and professionals, a real demand for electronic texts is undeniable. Hence, one motivation factor for the set-up of a European digital library, for example, has been the wish to provide for example journalists with a universally accessible archive for quality content that can easily be used in their work.⁸¹ E-books would/could provide the basis of such a source. The retail sector for e-books is gaining increasing significance. While German retailers dominate the scene in Germany, the British retail landscape is controlled by overseas’ services. Regardless of this, there is reason to assume a demand for truly British services. At present certain obstacles hamper the large-scale take-off of the e-book market. Nonetheless e-booksellers and publishers continue to invest in it.⁸² Compared to the great opportunities and future potential that the e-book market carries, the lack of standards does not appear as a fundamental obstacle, but a temporary problem, which will be tackled along the way, in the evolutionary process of the e-book market’s development. However, it would be desirable if

⁸¹cf. http://europa.eu.int/information_society/activities/digital_libraries/index_en.htm

⁸² This will be shown in detail in the third chapter.

European policy were to support this development in full consequence. Apart from their own efforts within the frame of the i2010 strategy, it would be of advantage if the EU were to review, for example, their general taxation policy on electronic publications.

III Digitization Programmes: an overview

Dies ist der Beginn einer neuen Ära. Und wohl das Ende des Buches, wie wir es kennen.

Ivo Iossiger, owner of 4DigitalBooks in Switzerland, inventor of Google's scanning robot.

III.1 Introduction

The very concept of digitization programmes and their underlying aim to create a new version of the Alexandria library are bringing great advancement for the creation of knowledge societies as well as great challenges to traditional publishers. How can an industry, entirely relying on the protection of content, survive on the way to an all-open, all-accessible information society, with a digital library available at mouse-click? Publishers fear losing their market position, as third parties are starting to undermine what the industry is substantially based on: the exclusive use of copyrighted material.⁸³ In more drastic words: the publishers' right to exist. The greatest threat to the industry has always been the loss over the control of their contents, as this implicitly results in an increase of competition and consequently a decrease in revenues. This is an old threat⁸⁴ that takes on new dimensions with the rise of the internet as an alternative publishing platform. This threat is currently embodied by the global high-tech giant Google, who

⁸³ John Feather describes in the introduction to his *History of British Publishing* that the publishing industry, as it has developed over time, is essentially based on copyright.

⁸⁴ The issue of control over contents arose already in the time of Henry VIII, due to the "increase of numbers of printers and booksellers." In the mid-sixteenth century there was public consensus that "some form of control was necessary for commercial as well as for political reasons." cf. Feather, John: *A History of British Publishing*. London, New York, 1988. 28 f.

views not the internet as such, but its own search engine technology as the generator of a revolutionary and democratic access to information.

Not since Gutenberg invented the modern printing press more than 500 years ago, making books and scientific tomes affordable and widely available to the masses, has any new invention empowered individuals, and transformed access to information, as profoundly as Google

according to the official "Google Story".⁸⁵ The bottom line of this comparison is that Google puts itself, and not the publishers, in the position of Gutenberg's heir in the digital age, which implies that publishers are no longer needed to make "books and scientific tomes affordable and widely available to the masses". Consequently it is no surprise that the publishing industry reacts more than alarmed. "The debate will rage on", declared John McNamee, president of the European Booksellers Federation, at this year's Frankfurt Book Fair, where digitization was handled as "the hottest topic for publishers and booksellers."⁸⁶ It is more than just rage – it is almost a straightforward outcry of despair, when major publishers call for public support in their attempts to defend their traditional business models. "Switch your search engine from Google to MSN or Yahoo today",⁸⁷ appealed Bloomsbury's CEO Nigel Newton to Guardian readers, as a reaction to Google's scanning processes in American libraries. At present there are a number of digitization programmes announced to be operating, though it remains unclear to which extent they are actually progressing. An up-to-date review of these projects, evaluating their threats and opportunities, as well as advantages and disadvantages for publishers is not yet available in contemporary scholarly literature. This chapter aims at providing such an overview, while outlining the particular aims of the different programmes

⁸⁵ Vise, David A.; Malseed, Mark: *The Google Story*. London/Basingstoke/Oxford, 2005. 1 [Vise, 2005]

⁸⁶ Mc Namee, John: *Living with digitization*. Frankfurt Book Fair Daily Publishing News, Friday, 6th October 2006. www.publishingnews.co.uk

⁸⁷ Newton, Nigel: *Google's literary land-grab. Publisher Nigel Newton calls for a boycott of the Google search engine in protest at its plans to scan books*. Guardian, March 4th, 2006. <http://books.guardian.co.uk/comment/story/0,,1722888,00.html>

and setting them in relation to each other. This is also important for the further evaluation of their impact on the knowledge society. In this context European policy, in particular the i2010 digital libraries initiative will be discussed and contrasted to the various corporate initiatives. The Amazon Search-Inside programme will not be subject to detailed examination. Even though it is a large scale digitization project it has not been, as other independent digitization programmes, set up with the aim to create a virtual library for public access. Search Inside has been designed from the beginning as a sales and marketing tool for print titles, exclusively by and for the online bookseller Amazon. It is conducted with full consent of the cooperating publishers.⁸⁸ As a tool controlled by the publishing industry, Amazon Search Inside is preserving the current state of the print-dominated book publishing industry, rather than driving innovation in the digital environment.

III.2 Project Gutenberg – the pioneer

Each time an organization claims to have invented eBooks or eLibraries, I feel both vindicated and ignored.

Michael Hart, founder of Project Gutenberg

The oldest digitization programme, the Project Gutenberg (PG), originates back in pre-internet times. It was as early as 1971 when Michael Hart, the project's coordinator and founder, had the idea to use computing technologies in order to preserve printed texts electronically and improve their public accessibility. What is said to have first started out as a spontaneous joke – Hart was typing the Declaration of Independence, sending his electronic version to friends, whose computers were not yet able to

⁸⁸ Publishers sign a license agreement for working with Search Inside. The agreement can be found at http://www.amazon.de/exec/obidos/tg/browse/-/3110751/ref=br_bx_1_c_2_2/302-7915380-2484055.

manage the complexity of the format and collapsed⁸⁹ – has grown to become an online database, offering more than 20,000 e-books for immediate and free download. The main Project Gutenberg’s website, hosted in the United States, counts more than two million downloads each month.⁹⁰ Project Gutenberg, a volunteer-run non-profit initiative “of the people, by the people, for the people”,⁹¹ is achieving a monthly download volume, which the e-book retail sector would most definitely be proud to announce - if they were able to. Project Gutenberg’s 24 million annual downloads can be viewed as a further evidence for the demand in e-books, as much as an indicator for the necessity of a further adjustment of current retail and pricing models, if the industry wants to create mass appeal for customers. However, if Project Gutenberg offers a significant amount of e-books for free online, why is it that the publishers do not “rage” about this? The answer is simple and, at the same time, the key to the evaluation of all digitization initiatives: there is no infringement of the publishers’ copyright – Project Gutenberg exclusively includes public domain titles into their online download catalogue. Legally speaking, publishers simply have no case to bring against Project Gutenberg. They might not particularly like the idea of book content being shared without a percentage of revenues going into their own pockets; but after all there is no revenue to be shared anyhow, since the project operates on a strictly non-profit basis. It lies in the nature of Project Gutenberg’s concept that it cannot, does not want to and most likely never will directly compete with the publishing industry or infringe with their profit making sector. Whereas publishers had decades to realise this, decades to observe Project Gutenberg, get acquainted with its concept and find their personal

⁸⁹ Hart, Michael: *Gutenberg: The History and Philosophy of Project Gutenberg*.

http://www.gutenberg.org/wiki/Gutenberg:The_History_and_Philosophy_of_Project_Gutenberg_by_Michael_Hart

⁹⁰ http://www.gutenberg.org/wiki/Main_Page

⁹¹ cf. Vaknin, Sam: *The Ubiquitous Project Gutenberg. Interview with Michael Hart, its founder*. 15.11.2005.
<http://samvak.tripod.com/busiweb46.html>

approaches to it, Google Print, operated in top secret for about two years before it was announced out of the blue to the publishing world at the Frankfurt Book Fair in October 2004.⁹²

III.3 Google Book Search – the revolutionary

It is not much of a surprise that publishers were more than alarmed when one of the world's leading high-tech companies presented its Print project with the goal to digitize the inventories of entire academic libraries on their declared mission to "organize the world's information and make it universally accessible and useful".⁹³ A company that within its very short lifetime period continuously showed a "healthy disregard for the impossible", as the self-descriptive "Google Story" phrases what has otherwise been viewed as an unwillingness to accept legal boundaries. Therefore, a picture painted by the media is, that Google "ist für viele, speziell in der Buchbranche, eine Krake, vor deren Umarmung man sich nicht zu schützen weiß."⁹⁴ Bringing unprecedented challenges to the publishing industry, Google Print started with the aim to create the first global virtual library - a project which would deliver a significant contribution to the global shift towards an information society. What has been the publishers' reaction and how the project developed subsequently will be the subject of the following examination. A detailed look into Google Book Search is necessary, because the project has an unprecedented impact on both the publishing industry and European policy. It is particularly important to understand the roots of Book Search properly in order to set other initiatives in relation to it and to evaluate its impact on the future knowledge society.

⁹² Google was planning and executing the project since 2002. "The secret almost got out" in early 2004, but managed to be kept until official announcement in Frankfurt. Cf. [Vise, 2005] 235

⁹³ cf. Google: Corporate Information. Company Overview.
<http://www.google.de/intl/en/corporate/index.html>

⁹⁴ Hintermeier, Hannes: *Googles Vormarsch. Daten sind Macht*. Frankfurter Allgemeine Zeitung, 02.10.2006 <http://www.faz.net/s/Rub117C535CDF414415BB243B181B8B60AE/Doc-E6A9449B6BE104ABD964DD7AA7B495337~ATpl~Ecommon~Scontent.html>

III.3.1 Controversy: copyright infringement or fair use?

The easiest way to start illustrating the impact of the controversy about Google Book Search – formerly known as Google Print – is to point out the fact that it was renamed in the very same year of its launch. The reason for the “re-baptizing” was the perceived confusion about the term “print”, which, according to the Google Story, led to the assumption within the publishing sector that the programme was a print-on-demand service.⁹⁵ The main problem with Google Print, however, did not lie in the name as much as the general approach taken by the company. It is an established fact that Google started to scan copyright material from their partner libraries in the United States. This happened with permission of the libraries, but without the permission of the actual right-holders, which are in most cases the publishers. In the beginning of Google Print, copyright was still “the crux of what Google was after.”⁹⁶ After all, the project’s initial aim was to create a database of electronic versions of as many printed texts as possible, to the benefit of a “[true] information age.”⁹⁷ With their special book search engine, the Google founders Larry Page and Sergey Brin planned to bring printed contents into an electronic format in order to make them as easily searchable and accessible as any other information on the internet. Their basic idea of universal access to contents in form of e-books almost reminds one of Michael Hart’s thoughts, which made him start Project Gutenberg. The approach taken by Google in consequence, however, could not be more different. For reaching their target to scan and digitize an initial 15 million books and make them available online by 2010,⁹⁸ Google’s founders are making large monetary investments, and are therefore taking the opposite approach to Gutenberg’s non-profit

⁹⁵cf. [Vise, 2005.]

⁹⁶cf. [Vise, 2005]

⁹⁷ [Vise, 2005] 228

⁹⁸ [Vise, 2005] 228

operations. Not only the scale and investment involved differs from Project Gutenberg. Also the attitude towards legal frameworks cannot be compared. Whereas it is part of PG's policy to respect current legislation – as however obsolete it may be regarded – the programme participants of Google Book Search do not fear possible infringement of copyright law. In fact, they have been prepared from the beginning to face proceedings against their practices. A Stanford University library partner divulges: "A lot of our hopes and ambitions will be determined by how things come out in the wash after some amount of litigation."⁹⁹ Google has therefore promised to reimburse the partnering libraries "for any costs arising from lawsuits over the digitization of their books."¹⁰⁰

The first procedure against Google Print was filed by the American Authors Guild in September 2005.¹⁰¹ The American Association of Publishers followed with a similar complaint just one month later. In principle, both associations claim injunction and damages for the infringement of copyright. Or, as an official complaint reads, for the

continuing, irreparable and imminent harm that publishers are suffering, will continue to suffer and expect to suffer due to Google's willful infringement, to further its own commercial purposes, of the exclusive rights of copyright that Publishers enjoy.¹⁰²

Google, on the other hand, uses the defence of "fair use" and claims that, in fact, they do "respect" copyright. Fair use, according to American law, is not clearly defined, which makes "the fair use road map" known for being "tricky to navigate".¹⁰³ It is up to the judges to decide whether the full-text scanning of copyrighted books – given that only tiny fractions of the texts are viewed

⁹⁹ [Vise, 2005] 236

¹⁰⁰ [Vise, 2005] 237

¹⁰¹ Aiken, Paul: *Authors Guild Sues Google, Citing "Massive Copyright Infringement."* Authors Guild Press Release, 20.09.2005. http://www.authorsguild.org/news/sues_google_citing.htm

¹⁰² Keller, Bruce P. a.o.: *Attorneys for Plaintiffs: 05 CV 8881. Complaint. ECF Case. United States District Court, Southern District of New York.* 19.10.2005 [Keller, 2005] 2
<http://www.publishers.org/press/pdf/40%20McGraw-Hill%20v.%20Google.pdf>

¹⁰³ cf. Stanford University Libraries: *Copyright & Fair Use Center. Chapter 9. Fair Use.*
http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter9/

online – can qualify as such.¹⁰⁴ An underlying rationale of the fair use doctrine, however, is the qualification as public benefit, when analyzing copyrighted material used in sources other than the original.¹⁰⁵ The American courts have been in the evidence-gathering stage since 2005 up to the present day.¹⁰⁶ No decision has been made in these crucial cases. Nonetheless in Europe the first procedures against Google were started during the summer of 2006. Whereas a decision in the lawsuit of the French publisher La Martinière has also still to be awaited¹⁰⁷, a similar procedure claiming damages for copyright infringement by the German publisher “Wissenschaftliche Buchgesellschaft Darmstadt” already came to a quick end. Since the scanning of WBG titles took place in the framework of the Library Project in the United States, the Hamburg court, where the procedure was started, ruled that American courts, not German ones, are in charge of making a final judgement in this litigation. However, the court made sufficiently clear that it did not recognise a copyright infringement in this particular case, so that the publisher withdrew the lawsuit and accepted paying the procedure fees of 100,000 Euros.¹⁰⁸ A first success for Google, though this case, not having found proper judgement, has no quality for creating a legal precedence in this almost ideological battle about copyright protection versus public benefit.

¹⁰⁴ An example of a snippet can be found here: <http://books.google.de/books?vid=OCLC01044586&id=S-4TAAAIAAJ&q=war+and+peace+inpublisher:hodder&dq=war+and+peace+inpublisher:hodder&num=30&pgis=1>

¹⁰⁵ cf. Stanford University Libraries: *Copyright & Fair Use Center. A. What is Fair Use?* [http://fairuse.stanford.edu/Copyright and Fair Use Overview/chapter9/9-a.html](http://fairuse.stanford.edu/Copyright%20and%20Fair%20Use%20Overview/chapter9/9-a.html)

¹⁰⁶ cf. BBC News: *Yahoo backs digital library plan*. 03.10.2005. <http://news.bbc.co.uk/2/hi/technology/4304192.stm>

¹⁰⁷ BBC News: *French book publisher sues Google*. 07.06.2006. <http://news.bbc.co.uk/2/hi/entertainment/5052912.stm>

¹⁰⁸ Heise News: *Verlag zieht Antrag auf Verfügungen zurück*. <http://www.heise.de/newsticker/meldung/74832>

III.3.2 Where Book Search is now

It is not known how many free e-books are available from Book Search at the moment. In 2005 the Book Search platform was uploaded with an initial 10,000 full-text PDF files. Since the website's browser has significantly improved since then, for example an e-book reader was integrated so that the PDF files can already be read on-site,¹⁰⁹ it can be assumed that the project is making firm progress. Another indicator for the success of the library programme can be seen in the growing number of their cooperating partners. Up until this year's Frankfurt Book Fair they were working with the University libraries of Michigan, Harvard, Stanford, Oxford, Madrid and the New York Public Library. Over the short course of the past two months, they have found yet another two partners: partnership with the University of Wisconsin-Madison was declared briefly after the Frankfurt book fair,¹¹⁰ and the announcement of partnership with the University of Virginia Library followed one month later in mid November.¹¹¹ So Google is working with eight libraries worldwide at present, having explicit authorization to digitize either the entire collections, as in the case of Michigan University, or specified parts, as for example nineteenth century works from the Bodleian Library in Oxford. It is important to note that only two of these libraries are located in Europe, and out of these two only one is in a non-English speaking country. According to stricter copyright regulations in Europe, Google scans so far exclusively public domain material from the two partnering European libraries Madrid and Oxford. In the United States copyrighted titles are

¹⁰⁹ cf. Kolokythas, Panagiotis: *Google Books jetzt mit integriertem Ebook-Reader*. Online news, 24.11.2006.
<http://www.pcwelt.de/news/online/64814/>

¹¹⁰ Buchmarkt: Online Handel: Google gewinnt University of Wisconsin-Madison als Partner der Google Buchsuche. News article, 12.10.2006.

<http://www.buchmarkt.de/archiv/index.php?mod=news&q=%2Bgoogle+print&seite=1&page=23729>

¹¹¹ Buchmarkt: Kooperationen: Bibliothek der Universität Virginia wird Partner der Google Buchsuche. News article, 15.11.2006

<http://www.buchmarkt.de/archiv/index.php?mod=news&q=%2Bgoogle+book+search&seite=&page=24284>

continued to be scanned, unless the publisher does not explicitly prohibit this.¹¹²

The fact that so far has been widely neglected is that Book Search is more than the controversial Library Project. The second strand is the Partner Programme, which has been operating simultaneously with the Library Programme from late 2004 onwards under one roof of Print/Book Search. In principle both programmes have the same goal: the creation of a full text digital database on Google's servers, searchable online. The significant difference: whereas public domain titles are displayed in full to online users, for copyrighted titles scanned from libraries only fractions of a sentence in which the search word appears are viewed. To make not only so-called "snippets", but more content of copyrighted titles available, Google's Partner Programme is seeking direct collaboration with publishers and other rights holders. They are invited to send their printed books directly to Google for digitization and inclusion into Book Search. The collaboration of Google and its partners is regulated in detail by individual contracts. A model contract or licence agreement is not publicly available. However, the concept of the Partner Programme is simple: publishers determine a percentage of pages – at least 20%¹¹³ – that are allowed to be fully viewed online. In return publishers are granted a special title presentation which aims at increasing their sales.¹¹⁴ Next to the book search results there are links to sources from which a hard copy of the book can be bought online, or to libraries where it can be borrowed. The "buy this book" links to online bookshops are not sponsored,

¹¹² At least this is the PR version Google's head of Book Search in Europe, Jens Redmer, gave at the 2006 Frankfurt Book Fair, for example at a presentation titled „Google Buchsuche: Bewerben Sie Ihre Bücher auf Google – kostenlos“, Forum Innovation, Halle 4.2 M437, 06.10.2006.

¹¹³ Google explains this as follows: „Damit wir auf die Anfragen von Nutzern relevante Seiten zurückgeben können, ist ein Prozentsatz unter 20 Prozent nicht möglich. Es ist darüberhinaus auch nicht möglich, die anzeigbaren Seiten gesondert festzulegen.“ Excerpt from a response to my email enquiry by Gerhardt, Christoph from Buchsuche Team. buecher-support@google.com, 2.12.2006

¹¹⁴ How book search works and is presented is explained in detail by Google here: <http://books.google.de/googlebooks/about.html>

and there is no provision of sales revenue given to publishers or Google once a title is bought through one of the linked bookstores.¹¹⁵ These links simply aim at the customer's convenience, so that books discovered via Google can be purchased easily. However, if a publisher chooses to work with Google, the link of the publisher's own web-shop features on top of the link list.¹¹⁶ Additionally the publisher's logo as well as a separate link to the publisher's website is given, so that the high linkage to the publisher can also lead to an increase of direct sales from the publisher's website. Furthermore, revenue from content-relevant advertising generated by the Google AdWords programme is shared with the copyright holding publishers that choose to participate in Google's Partner Programme. No bad deal in monetary terms, considered that particularly from the AdWords programme Google receives its main revenues.¹¹⁷ Within the framework of the Partner Programme, Book Search is presented as a free distribution platform¹¹⁸ which secures the content for the publishers' print titles: "Google Print, like an electronic card catalog indexes book content to help users find, and perhaps buy, books. This ability to introduce millions of users to millions of titles can only expand the market for authors' books in the future."¹¹⁹

Remarkable here is the twist to the initial goal of the project: what was formerly aimed at the creation of the world's biggest digital library to the benefit of the people is now downsized to the creation of an index system. This is a problematic comparison, considered that traditional card catalogues do not contain the entire content of the titles they index. Moreover, important to note is the shift from an ideological to a commercial project, which is

¹¹⁵ <http://books.google.com/support/partner/bin/answer.py?answer=17877&topic=329>

¹¹⁶ <http://books.google.com/support/partner/bin/answer.py?answer=17874&topic=329>

¹¹⁷ AdWords is therefore described as a milestone in Google's corporate history.

<http://www.google.com/corporate/history.html>

¹¹⁸ Dambeck, Holger: *Urheberrecht abgelaufen. Google stellt Tausende Bücher ins Netz*. Spiegel online article, 30.08. 2006 <http://www.spiegel.de/netzwelt/web/0,1518,434319,00.html> [Dambeck, 2006]

¹¹⁹ Wojcicky, Susan: Google Print and the Authors Guild. Google Blog entry posted by Google's Product Development Vice President on 20.09.2005. <http://googleblog.blogspot.com/2005/09/google-print-and-authors-guild.html>

helping to “expand the market”. This is a good example for the evolution of Book Search, which can at present be described as having a double nature: on the one hand, the library project is still pursuing the mission to create a library with universal access to public domain works – on the other hand, within the framework of the Partner Programme, Book Search is a publishers’ marketing tool à la Search Inside. The fact that Google’s products change over time is part of the company’s regular product development approach. “Try a bunch of ideas, refine them, and see what survives” is its essence, as Marissa Mayer, responsible for the company’s product launches, reveals.¹²⁰ Google admittedly expects 60-80% of their new products to fail.¹²¹ Even though at present a lot of effort is put into developing Google Book Search, it is uncertain what may happen to it in case long term success does not occur. What if the company’s stock value decreases because of the failure of one of its biggest projects? What could possibly happen to the large amount of publishers’ digitized titles? Would they be handed back to the original rights holders, simply thrown out or could they perhaps even end up in the hands of third parties? This worst case scenario is mere speculation at the moment, but the “lack of certainty that a product will actually develop over time” has been validly pointed out by scholars before.¹²² The uncertain future of Google Book Search therefore appears to be the project’s greatest threat. It has to be kept in mind that even though Google holds an unchallenged market position at the moment, this can be lost particularly quickly in the digital environment. One just needs to recall the dotcom bubble bursting in 2000 in order to realise this. However, when digitized books were first made available online in November 2005 on Book Search, there were two other problems identified in the press: firstly, the scanning. Occasionally fingers were covering the text

¹²⁰ cf. Business Week Online: *Inside Google’s New-Product Process*. Business Week Online, Technology. 30.06.2006 http://www.businessweek.com/technology/content/jun2006/tc20060629_411177.htm

¹²¹ cf. Bradley, Phil: *Search Engines: Is Google Building on Shaky Foundations?* Ariadne Issue 49, 30.10.2006. <http://www.ariadne.ac.uk/issue49/search-engines/> [Bradley, 2006]

¹²² cf. [Bradley, 2006]

and there could be transformation of gothic type scripture, which resulted in a partly low quality of the e-book texts.¹²³ Secondly, the supposedly content-relevant text-ads were revealed as not exactly content-relevant, as Bloomsbury's CEO wittily illustrates:

You may not feel that it is inappropriate for Google to run advertisements around the text of Dr Jekyll and Mr Hyde for a walk-in medical clinic. Or to plump an ad for "modern, economic waste disposal systems" into TS Eliot's Waste Land. Or to annex Virginia Woolf's To The Lighthouse with offers to holiday in a self-catering eight-storey tower. But I do¹²⁴

However, when stressing these shortcomings, one has to keep in mind that Book Search is still in its Beta Phase. Knowing Google's regular product development process it can be expected that it will only be a matter of time until Google fixes these initial technical problems. The truly problematic part about Book Search for publishers is that it is difficult to predict what its future form will look like. Even though no such plans are publicly announced yet, it is well imaginable that Google might introduce the option to pay per view or download of a copyrighted e-book directly from the BookSearch sites.¹²⁵ The Publishers Association recognises already at present a certain intermediate state of the project: "Google Book Search is not really an e-books alternative as far as publishers are concerned, since the sales that it leads to are normally print sales (though they may include e-book sales as well)."¹²⁶

Holding huge amounts of digital e-book contents in stock and using e-books technology already, a commercial exploitation could be viewed as a logical next step. When Google's CEO Eric Schmidt was asked by the BBC about such a possibility, he assured: "Subject to permission from the copyright

¹²³ cf. [Dambeck, 2006]

¹²⁴ Newton, Nigel: *Google's literary land-grab. Publisher Nigel Newton calls for a boycott of the Google search engine in protest at its plans to scan books.* The Guardian, 04.03.2006
<http://books.guardian.co.uk/comment/story/0,,1722888,00.html>

¹²⁵ The technology would be the same as it is already working for the public domain titles.

¹²⁶ [Bennett, 2006] 57

holder, yes."¹²⁷ Within the Google Book Search support centre it is confirmed that at present, PDF downloads are only available for titles scanned in the library programme. However, Google already invites publishers to send their feedback¹²⁸ on the option of copyrighted e-book download from Book Search, as they say this feedback is vital to the success of the programme¹²⁹ and to its future development. „Da dies ein noch relativ neues Programm ist, werden wir das Funktionsangebot zukünftig noch erweitern,“ replied the Book Customer support to my enquiry about an alternative use of their digitized data. It may be awaited what the future form of Google Book Search will be – and how soon we might be seeing Google “Book Search and Buy”.

III.3.3 Threats and Opportunities for Publishers

The first and most important benefit of Book Search is that it makes even rare titles easy to discover by Google’s simple keyword search. Given that Google is the world’s most used internet search engine, the awareness of a printed title concerning a specific topic can be increased substantially. Publishers joining the Partner Programme also have the opportunity to increase their sales – not to forget that additional revenue can be received from the AdWords programme. To summarise the downsides of Google Book Search for publishers, one just needs to remember the shaky legal foundations on which a substantial part of the project is based. However, publishers should be aware that, even in case Google’s Library Programme is ruled to infringe copyright, this would not have a direct effect on the Partner Programme, as it is regulated on a contractual basis. But such outcome could harm the

¹²⁷ Hemida, Alfred: *Google mulls online book future*. BBC News, 10.01.2006.

<http://news.bbc.co.uk/2/hi/technology/4598478.stm>

¹²⁸ <http://books.google.com/support/partner/bin/answer.py?answer=46960&topic=321>

¹²⁹ Excerpt from a response to my email enquiry by Wagner, Johannes of Google Buchsuche Team, 27.12.2006

reputation and publishers' trust in the company significantly – perhaps to the benefit of its competitors in the digital library territory. A connected concern of publishers should be whether they want to commit to a Beta version of a Google product, being aware of Google's flexible product development. There can be legitimate doubt about whether Book Search will continue in its current form, and very sharp critics may even question whether it will continue to exist in the long term, in case it does not prove successful. A connected concern is whether the stress of the Partner Programme will stay on a print book-marketing platform in the future – as outlined in this thesis, a possible advance in the e-book retail sector is easily imaginable. While this could prove to be a great opportunity for publishers' retail of e-books, the question remains whether publishers are sufficiently prepared for the changes this may bring to their business environment. Even though the concern that Google through such advancement "effectively becomes the backlist publisher and starts to destroy the basis of (the publishing) business,"¹³⁰ might be exaggerated, publishers should read the small print of their contracts carefully¹³¹ and ensure they have solutions at hand in order to be prepared for such a development. When deciding about joining the Partner Programme, publishers may want to carefully balance threats and opportunities the programme might bring, and decide whether Google's current benefits outweigh the uncertainty of its future developments. Even though Google is conducting the biggest and currently most successful project in terms of progress made, it is not the only way for publishers' contents to become digital.

¹³⁰ Wray, Richard; Milmo, Dan: *Publishers unite against Google. Search engine's plans could revolutionise book industry as much as Gutenberg did.* The Guardian, 06.07.2006.

<http://books.guardian.co.uk/news/articles/0,,1813698,00.html>

¹³¹ This may sound obvious, but some publishers are known to have prematurely signed contracts with Amazon for the Search Inside programme. Campus, for example, has re-negotiated the terms of its licence agreement, according to which it transferred the copyright directly to Amazon. See Becht, Stefan: *Volltextsuchmaschinen.* Buchmarkt, 14.06.2005.

<http://www.buchmarkt.de/archiv/index.php?mod=news&page=17460>

III.4 Open Content Alliance – the revolutionary’s child

Driven by the fear of losing the race for the “Digital Library of Alexandria”, other players copied Google’s initiative, as for example the joint effort of Yahoo and Microsoft, called The Open Content Alliance (OCA). Having come into life after Google faced legal challenges, the OCA announced from the start that they would only digitize public domain works published prior to 1923 in the United States. Their declared aim is to create a “digital archive of global content for universal access.”¹³² The publishing industry in both the US and Europe is not immediately affected by this project yet, as in the starting phase only public domain material is subject to digitization, as for example the narrow focus of the 2006 digitization efforts has been on sources that concern North American history only.¹³³ Concrete plans about how to deal with copyright material and how collaboration with publishers is to be organised, will only be made after the initial phase of the project proves successful.

Even though the OCA’s list of participants looks quite impressive with 41 actively involved contributors, including Columbia and Washington University, the National Archives (UK), the European Archives,¹³⁴ and the British Library,¹³⁵ currently there does not seem to be much progress with the project itself. There has been no significant news in the international press since late 2005 and the Open Content Alliance homepage’s latest press release is also more than a year old.¹³⁶ The initial aim of the project has been to make 18,000 core titles available online via Yahoo and directly through their website

¹³² <http://www.opencontentalliance.org/index.html>

¹³³ <http://www.opencontentalliance.org/nextsteps.html>

¹³⁴ <http://www.opencontentalliance.org/contributors.html>

¹³⁵ The British Library digitization alone is supposed to bring another 100.000 titles in digital form to the OCA. BBC News: Microsoft scans British Library. 04.11.2005

<http://news.bbc.co.uk/2/hi/technology/4402442.stm>

¹³⁶ <http://www.opencontentalliance.org/press.html>

www.opencontentalliance.org by the end of 2006.¹³⁷ But there is not a single OCA generated e-book online to the present day. Although a working agenda for 2006 was released in October 2005,¹³⁸ there has been no evaluation of its implementation at the end of this year. A new agenda for 2007 has also not been published up until this thesis was completed. All of this can only be explained in two possible ways: either the project faces severe technical problems which cause a delay in the implementation of the initial working targets, or for strategic reasons the project is carried out in secret, in which case we might be surprised with an announcement that challenges the main competitor Google in an unprecedented way. In any case, however, it is unlikely that the publishing industry has to fear threats of copyright infringement from the OCA. To stress this again: on the whole, the Open Content Alliance's concept is much closer to Project Gutenberg's than to that of Google. It does not primarily aim to intersect with the publishing industry's territory, and does not seek collaboration with publishers before the project has a well-established base. As the OCA has strong cooperating partners, it has the potential to outrun the efforts of the volunteer-based Project Gutenberg within a short period of time, even though the initial target of 18.000 titles scanned and digitized is not reached yet. Still, the Open Content Alliance has – unlike the volunteer-based Gutenberg project, but just like Google – capital to invest and big partners. Copying the process-technological side from Google, the ideological approach is at present closer to Project Gutenberg. Therefore the Open Content Alliance could be seen as a merger of the benefits of both Gutenberg and the Google Book Search project: the Open Content Alliance declares to operate to the benefit of the people, does not infringe copyright and has the means to carry out a full-scale project.

¹³⁷ BBC News: *Yahoo backs digital library plan*. 03.10.2005.
<http://news.bbc.co.uk/2/hi/technology/4304192.stm>

¹³⁸ <http://www.opencontentalliance.org/nextsteps.html>

Even though no detailed plans for the collaboration with publishers have been revealed yet, the American Association of Publishers has already declared its support for it. In their legal complaint against Google the AAP stresses that they are willing to find digital publishing solutions, but would wish to preserve the right to choose possible digitization methods themselves. The complaint against Google reads:

The publishers support making books available in digital form so that those books can be, among other things, researched through electronic means. To that end they have separately developed and are continuing to develop various means of making electronic copies of their own works available consistent with their exclusive rights under copyright.¹³⁹

An example that they give for such means is the collaboration with the Open Content Alliance.¹⁴⁰

The particular strength of the Open Content Alliance at present is that it is both legally flawless and supported by publishers. The great weakness of the project is that it does not seem to exploit its potential to the full extent at present. However, the concept of the Open Content Alliance, its general approach to create a virtual library while respecting copyright might, in the future, turn into a precious alternative to Google for publishers.

III.5 Digital Library Initiative – the new establishment?

Yahoo and Microsoft were not the only ones to become alarmed by Google's initiative. Particularly in Europe great concern has been expressed on an institutional and even on a governmental level, that the European factor in the American digitization programmes might be disregarded. The anticipated danger is that the English language and American culture gain more and more dominance, which would result in a disadvantage to a fair

¹³⁹ [Keller, 2005] 3

¹⁴⁰ [Keller, 2005]

representation of European diversity. Another related question is whether stock market corporations should be in charge of creating a global virtual library.

The first person to address this concern publicly and in detail has been Jean-Noël Jeanneney, the president of the French national library, the Bibliothèque Nationale de France. As a reaction to the release of Google Print for Libraries he states in his pamphlet "Googles Herausforderung"¹⁴¹:

Es besteht zu befürchten, daß (sic) in einer bestimmten weltpolitischen Lage aus einem falsch verstandenen amerikanischen Patriotismus heraus Inhalte und Bücher, die nicht dem US-amerikanischen Mainstream entsprechen, überwacht, ausgeschlossen und bestraft werden."¹⁴²

Taking into account the huge sum of titles ever published in print – according to estimations about 100 million worldwide – there can be no objective selection of texts that are to be included in a global virtual library: "es (kann) keine universelle Bibliothek geben, sondern bestenfalls spezifische Blicke auf das Universelle," he argues.¹⁴³ Jeanneney further describes Google's selection criteria of their first 15 million titles as obscure and expresses the need to establish a European counter-initiative: a European Digital Library, with which the European Union sends its own message to mankind, because Europe is convinced "daß es der Welt besser geht, wenn seine Weisheit und die Zivilisation, die es verkörpert"¹⁴⁴ take on an important spot in the global virtual library landscape. The threat posed by Google to de-represent European culture, and the sense of a European mission to benefit the world are not the only arguments in favour of a European Digital library. Jeanneney further views such a project as embracing the opportunity to foster a new

¹⁴¹Jeanneney, Jean-Noël: *Googles Herausforderung. Für eine europäische Bibliothek. Deutsche Erstausgabe.* Februar 2006 [Jeanneney, 2006] First published as "Quand Google défie l'Europe. Playdoyer pour un sursaut." Paris, 2005.

¹⁴² [Jeanneney, 2006] 64

¹⁴³ [Jeanneney, 2006] 20, f.

¹⁴⁴ [Jeanneney, 2006] 50

sense of belonging for the European people at a critical time when the European constitution failed to come into existence. He writes that this project potentially brings „neue Kraft für den politischen Einigungsprozeß und für ein schnelleres Zusammenwachsen der Gründungsmitglieder und der neuen Mitgliedsstaaten.“¹⁴⁵ Even though Jeanneney points out that there can be no mentioning of clash of cultures in the global virtual library context, his pamphlet is filled with anti-American criticism – and Google, being an American corporation, is simply translated into the embodiment of American commerce. One can easily detect that an antagonism of European culture based on diversity and originality against American mainstream and commercial culture is underlying his whole argument, which may weaken Jeanneney’s innately valid points. His argument moves dangerously close to reproducing anti-American and pro-European stereotypes. The Google Print for Library project appears in this light almost as a welcome occasion to release long standing resentment. However clumsily they might have been presented, Jeanneney’s core concerns found great applause on a governmental level, first in his own country, and then further on within the European Union. A letter of support¹⁴⁶ from six heads of different national governments, who were won for the idea to preserve and present Europe’s cultural heritage in a digital form, mounted in the European Digital Library (EDL) Project, which aims at providing “Europe’s cultural and scientific heritage at a click of a mouse”¹⁴⁷ initiated by the European Commission. Only two months later, in June 2005, the DLI was declared a “flagship project” of the i2010 strategy.”¹⁴⁸ As outlined in the introduction, this European

¹⁴⁵ [Jeanneney, 2006] 95

¹⁴⁶ Pressure came in form of a jointly signed letter to the head of the European Commission, Baroso, in April 2005. A copy of the original letter can be found at http://ec.europa.eu/information_society/activities/digital_libraries/doc/letter_1/index_en.htm

¹⁴⁷ European Commission, *Information Society and Media, Fact Sheet: Europe’s Cultural Heritage at a Click of a mouse. PDF.*

http://europa.eu.int/information_society/activities/digital_libraries/doc/fact_sheet/fact_sheet.pdf

¹⁴⁸ *ibid*

Commission strategy aims at boosting the digital economy and contributing to make Europe THE knowledge society by 2010. The first target of the digital libraries initiative is to make more than six million “books, documents and cultural works” available within the period 2005 to 2010.¹⁴⁹ The stress is not exclusively on print publishing products, but rather on a digital collection of as much different material as possible, which will include audio-visual sources as well. The general idea is to gather all the digitization efforts of European national libraries under the one roof of the European Library. The European Library is neither supposed to digitize material itself, nor to melt the collected material into one source: its primary aim is to organise the European-wide conducted digitization efforts and then serve as a general access point to their output.

The fact that “at present only a fraction of the cultural collections in the Member States is digitized” is openly addressed as a setback by the European Commission.¹⁵⁰ However, according to press releases issued by the Commission, the European or other national libraries, the project is making firm progress and expected to successfully meet its initial targets by 2010. The European Library homepage currently contains an individual section dedicated to a collection of “European Digital Library Treasures,”¹⁵¹ presenting only a few selected titles for each member state, for example a digital copy of the Magna Charta under the UK heading. However, the great bulk of national digital library material is integrated directly into TEL’s custom search engine,¹⁵² which automatically browses all the online catalogues of the participating national libraries. The digital documents are

¹⁴⁹ cf. European Commission: *Information Society and Media. i2010: digital libraries.*

http://europa.eu.int/information_society/activities/digital_libraries/doc/brochures/dl_brochure_2006.pdf

¹⁵⁰ cf. European Commission: *Commission calls on Member States to contribute to the European digital library.* Press release, Brussels, 25.08.2006

http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=2781

¹⁵¹ The European Library: The European Digital Library Treasures.

http://libraries.theeuropeanlibrary.org/treasures_en.xml

¹⁵² <http://www.theeuropeanlibrary.org/portal/index.htm>

then simply included in the search results. Next to bibliographic information and links to the original source in the hosting national library, there is a “see online” link – given the correlative source is already available in digital form – which opens a small window, enabling direct access to the online document from the hosting server. These documents can appear in all sorts of formats – for example PDFs, html text documents, audio and video files, according to the format provided by the content hosting institution. Regardless of where and in which format content is hosted, direct consultation is guaranteed via the EDL website. No additional reading software needs to be installed on the reader’s computer in order to view the pop-up window that displays the content. The use of a separate window has the additional advantage that it prevents the redirection from the TEL’s website and enables to go back and browse through the rest of the search results easily. These mechanisms ensure an easy handling of the site, which resembles not only in concept but also in appearance much more the common format of a library catalogue, than for example Google’s book search result list.¹⁵³ By the end of 2007, all European national libraries are supposed to be included into the TEL search function. To this aim national libraries have explicitly been “urged” by the Commission in late August this year to “set up large-scale digitization facilities”¹⁵⁴ in order to make accessible “by 2008, two million books, films, photographs, manuscripts, and other cultural works.”¹⁵⁵ At present, there is still a predominance of French online text sources available via TEL. When for example searching for the creator¹⁵⁶ “Goethe”, more than 150 results out of

¹⁵³ This becomes evident by using and comparing the two different sites.

¹⁵⁴ European Commission: *Commission calls on Member States to contribute to the European digital library*. Press release, Brussels, 25.08.2006
http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=2781

¹⁵⁵ *ibid.*

¹⁵⁶ TEL offers the search criteria „creator“ instead of „author“, as one would expect. This is to illustrate that the collection contains also multimedia sources, not only texts.

190 stem from Gallica,¹⁵⁷ which leads to the odd situation at present that Goethe is mainly available in the French language for online European Library readers.¹⁵⁸ But this will obviously be fixed as soon as other national libraries make available their digitized content on a large scale. A well defined schedule for the further progress of the project till 2010 has lately been set out to be the European Council,¹⁵⁹ and a targeted side-project, funded by the European eContent Plus Programme¹⁶⁰ and carried out by the German national library,¹⁶¹ has already been launched for this purpose in September: The European Digital Library Project (EDL)¹⁶² targets the inclusion of further online archives of nine European libraries into TEL within the timeframe of twelve to eighteen months. Whereas generally “basic means for digitization”¹⁶³ have to be provided by the national libraries, the European Commission promises financial contribution to a support-network of “centres of competence on digitization and digital preservation.”¹⁶⁴ 60 Million Euros will be made available through the eContentPlusProgramme, another 200 Million Euros through the ICT programme.¹⁶⁵ As a comparison, even though no exact numbers of Google’s initial investment into BookSearch are

¹⁵⁷ Gallica is at present the biggest national library online archive in Europe, holding more than 75,000 volumes of digital text. cf.

http://www.bnf.fr/pages/zNavigat/frame/version_anglaise.htm?ancre=english.htm. Gallica’s homepage can be found at <http://gallica.bnf.fr/>

¹⁵⁸ This is particularly ironic since Jeanneney criticised Google for creating an American dominance in terms of contents. The European counter-initiative shows currently a French dominance instead.

¹⁵⁹ European Council: *Conclusions on the Digitization and Online Accessibility of Cultural Material, and Digital Preservation*. Official Journal of the European Union. C297/1. 7.12.2006.

¹⁶⁰ http://europa.eu.int/information_society/activities/econtentplus/index_en.htm

¹⁶¹ <http://www.ddb.de/>

¹⁶² <http://www.edlproject.eu/>

¹⁶³ European Commission: *European Commission steps up efforts to put European’s memory at the web via a “European Digital Library”*. Press release, Brussels, 02.03.2006.

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/06/253&format=HTML&aged=0&language=EN&guiLanguage=en>

¹⁶⁴ European Commission: *Commission calls on Member States to contribute to the European digital library*. Press release, Brussels, 25.08.2006

http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=2781

¹⁶⁵ Forster, Horst: *Building the European Digital Library. The European Commission’s role, ambitions and actions*. Speech of the Director for Content, Information Society & Media. Directorate General of the European Commission. Paris, 07.12.2006.

http://ec.europa.eu/information_society/activities/digital_libraries/doc/speech/hf-speech-bnf_7_12_2006.pdf [Forster 2006]

confirmed, this can be estimated at around 300 Million Dollars.¹⁶⁶ For Google, at present worth about 140 billion dollars,¹⁶⁷ this sum does not seem to be too much of financial endeavor – considering that after the biggest investment in the company’s history, the purchase of YouTube for 1.65 Billion Dollars, Google was left with 10.4 Billion (!) dollars in liquid assets.¹⁶⁸ With this contrast the significance of the European Union’s investment becomes even more evident: with the investment of a comparable, perhaps even a larger sum into a digital library project than Google’s investment into Book Search, the EU signals that its commitment is serious. Unlike Google, the EU does not invest in basic digitization. It is the Commission’s strategy to invest into a support network for the creation of a collection, which “will give Europe’s multilingual and diverse heritage a clear profile on the Internet”¹⁶⁹ – unlike an uncategorized search engine’s custom result list. EDL, other than Book Search, does at present also not pursue active collaboration with publishers yet, which means it presents no platform for the marketing or selling their products. However, it has been repeatedly stressed that EDL wants to encourage “publishers and other right holders to make their digitized material searchable through the European digital library”¹⁷⁰ in order to

¹⁶⁶ Google does not comment on its investment into digitization processes. However, the cost to digitize a printed book with help of automated mechanical processes lies, according to professional estimations, around 20 dollars per title, according to Fuchs, Simone: *Google Digitalisiert Bibliotheken. Französische Intellektuelle reagieren pikiert*. Handelsblatt, 08.03.2005.

[http://www.handelsblatt.com/news/Technologie/IT-Trends-](http://www.handelsblatt.com/news/Technologie/IT-Trends-Internet/pv/doc_page/2/p/204016/t/ft/b/868383/default.aspx/google-digitalisiert-bibliotheken.html)

[Internet/pv/doc_page/2/p/204016/t/ft/b/868383/default.aspx/google-digitalisiert-bibliotheken.html](http://www.handelsblatt.com/news/Technologie/IT-Trends-Internet/pv/doc_page/2/p/204016/t/ft/b/868383/default.aspx/google-digitalisiert-bibliotheken.html)

Given this estimation is true, and given no cheaper production costs will be achieved during course of time, this would add up to a total cost around 300 million dollars to reach the initial target to scan 15 million books.

¹⁶⁷ Gassmann, Michael: Google überholt IBM. Unerwartet gute Zahlen im Dritten Quartal haben den Börsenwert von Google an einem einzigen Handelstag um rund 10 Mrd. \$ erhöht. Financial Times Deutschland, 23.10.2006. http://www.ftd.de/technik/it_telekommunikation/124238.html?mode=print

¹⁶⁸ *ibid.*

¹⁶⁹ European Commission: *Commission Recommendation of 24 August 2006 on the digitization and online accessibility of cultural material and digital preservation*. Office Journal of the European Union. L236/28, August 2006. 1 (3)

http://europa.eu.int/information_society/activities/digital_libraries/doc/recommendation/recommendation/en.pdf

[EC Recommendation, 2006]

¹⁷⁰ [EC Recommendation, 2006], 3, 5.a)

“prevent a 20th century black hole”¹⁷¹ of their virtual library. A detailed explanation of the practical implementation is not provided by the EDL planners yet. However, it is already hinted that here “internet media companies, publishers, online bookstores, search engines and technology providers have a crucial role to play.”¹⁷² Jens Redmer, Head of Google Europe has also already declared that a consolidation of their efforts is well imaginable in the future: “Wir ziehen letztlich am selben Strang. [...] Deshalb könnte ich mir eine Zusammenarbeit mit der European Digital Library vorstellen.”¹⁷³ What at first sight may seem to be a contradiction, the DLI after all came into life as a counter-initiative to Book Search, might in fact turn out to be a viable solution for the large-scale inclusion of e-books into EDL within the set timeframe. National libraries might not hold such volumes of digitized titles as Google does. If the EDL were to incorporate selected data from Google into their categorized catalogue according to their general principles, the EDL could make a significant leap toward the achievement of its aims until 2010.

III.6 Conclusion: growing importance in the knowledge society

A starting question of this chapter has been how the publishing industry can survive in a digital environment where third parties undermine their exclusive use of copyrighted material. The review of the major digitization projects has shown that copyright infringement is, in fact, not a threat posed by the majority of projects at present. Google Book Search is the only case where it is subject to interpretation whether copyright is infringed or whether the company’s practices are to the public benefit and qualify as fair use. In any case Google’s library digitization, regardless of how problematic it may

¹⁷¹ [Forster, 2006] 7

¹⁷² [Forster, 2006] 8

¹⁷³ Jens Redmer, responsible for Google Book Search in Europe, interviewed by Börsenblatt, 4.10.2006. cf. article: *Das Buch im Visier. Markt Thema der Woche: Digitalisierung.*

be, does not lead to free distribution of entire e-books, as only snippets of these contents are revealed online. While direct losses for publishers remain questionable, the gain for a knowledge society and the impact of marketing could be significant. Google Book Search, as the revolutionary of print digitization, is at present the only project that is likely to attract users' acceptance on a large scale. Google has not only the biggest customer base among the internet search engines, Book Search is also the only digitization project that seems to be working well and is making firm progress. However, as I have shown in detail, its future form remains unclear. While on the whole it is difficult to make predictions of how the individual digitization projects outlined will develop over time – taken together they show a general trend: print digitization is not to be stopped and sooner or later it can be expected that various programmes will share their databases. Due to the high impact these combined projects are likely to have on the knowledge society they bring great opportunities to publishers for further distribution of their products. The real threat to the publishing industry is not copyright infringement, but the inability to implement strategies for the exploitation of these developments to both their own and to public benefit.

IV Digitization, e-books and European publishers: a digital field study

IV.I Introduction to the digital field study

As the two previous chapters have shown, publishers come under increasing pressure to develop their own business models in order to meet unprecedented challenges arising from a digital environment. After having followed the debate about Google and the insecurity the Book Search project caused, I wondered how intimidated and inactive publishers really are. In the press only very occasionally names are given of those who confess openly to

be working with the search giant. One such example is Langenscheidt, whose director of e-business I found quoted in a Frankfurt Book Fair magazine stating: "Nur indem wir mitmachen, können wir mitbestimmen."¹⁷⁴ Such direct "coming out" astonishes in the midst of the predominantly negative press coverage, as outlined earlier. With the news coverage of e-books the situation is similar. As I have shown earlier, both the low quantity and quality of information is far from providing a solid basis for a reasonable evaluation of the e-book publishing sector as it presents itself at present. There is generally little transparency on both the issues of print digitization and e-book distribution models. The aim of the following examination will therefore be to bring some light into the obscure environment of today's digital publishing. The starting question of the field study is: which roads do publishers at present take to gain a foothold in the digital environment? Are they using the internet primarily for the marketing and selling their print products? Or, perhaps, are they getting increasingly involved in the e-book-market? And if so, which distribution channels do they prefer? A subsequent question will be whether there are any trends in the current approaches taken by publishers. And if so, what could be the implications for the future development of the publishing industry in the long run within the European knowledge society?

Since the subject of my examination is very new and rapidly changing, which implies that it is as interesting as difficult to grasp, this study uses a mix of methods to address these questions. In the following results will be presented of what could be called a "digital field study".¹⁷⁵ Leading non-fiction publishers' activities within the digital environment have been examined under the following criteria:

¹⁷⁴ Becht, Stefan: *Voller Text für die Digitale Weltbibliothek*. 26 f in: *Digitale Medien, Buchkultur* 2006

¹⁷⁵ „Digital“ here refers to the examined field, although the research also involves digital material.

1. Does the publisher take part in the Amazon Search Inside Programme?

This question aims at finding out whether a publisher places great importance on the marketing and sales of print products through the internet. This will be interesting to contrast with their activities in the e-book market. The comparison allows one to establish whether a publisher gives priority to print or e-books.

2. Does the publisher take part in the Google Book Search Partner Programme? This question aims at establishing the publisher's stand with regards to the project. Nothing can illustrate the acceptance of the project clearer than participation. If a publisher partners with Google, it can certainly be interpreted as an approval of Google's programme. Even though, in reverse, a non-existing partnership does not necessarily imply disapproval, it indicates that there are issues which prevent collaboration.

3. Does the option exist to download e-books directly from the publisher's website? This question aims at establishing the degree of importance that a publisher allocates to e-books.

4. Are the publisher's e-books sold through Ebooks.com or Ciando? As shown previously, there are certain national barriers (especially language and tax rate) that might influence the way an e-book reaches customers in an innately borderless environment. By specifying which e-book shop publishers choose to distribute their goods, the German or the English language market leader, I hoped to further establish to which degree the national factor plays a role on the global internet marketplace. As outlined in the chapter on e-books, the UK and German retail markets operate quite differently.

5. Does the publisher make available e-books to libraries in some form or other? Particularly in contrast to the previous question I tried to establish which distribution option is given priority at present. If a publisher offers e-books, are these primarily destined for the retail sector, or are e-books in the first place made available to a defined special readership through libraries?

As I performed a market analysis for non-fiction e-books in the first chapter, the focus of the following examination will consequently be on non-fiction publishers as well. Non-fiction is defined in this thesis as academic, scientific, and professional publishing, as explained in the introduction. As argued in the chapter on e-books, particularly for non-fiction publishers the e-book market offers great opportunities. The comparison between Britain and Germany is continued in this chapter. I have selected ten publishers from each side to represent either the German or the British industry, being well aware that this exemplary amount cannot possibly stand for the *entire* non-fiction sector of a country. A focus on market-leading publishers and not on the entirety of non-fiction publishers is chosen on purpose. There is reason to assume that the large majority of medium and small-size publishers in both countries are not yet actively involved in electronic publishing. Questionnaires sent to all publishers in Germany, for example, have repeatedly seen an extremely low response rate concerning this issue.¹⁷⁶ It is self-explanatory that the established publishing companies are the ones driving innovation, as they have the resources to invest in new technologies and solutions on a large scale. Therefore the focus will be on a selection of market leaders, as opposed to the entirety of German and British non-fiction

¹⁷⁶ The AKEP surveys on electronic publishing solutions have over the years of their conduction constantly seen a response rate comparable to the latest one of 2006, as outlined above.

publishers. While it is relatively easy to offer arguments for the examination of an *exemplary amount* of publishers instead of the entire field, it is more difficult to legitimize the *particular selection* of these twenty publishers. My initial intention has been to define the top ten market leaders of each country along the criteria of title production or turnover per year. Unfortunately I was not able to access the required information for a majority of publishers. There is no unique source for this sensitive kind of information,¹⁷⁷ as publishers themselves are often hesitant to reveal it; and time and effort spent on extensive research would have simply stood in no relation to the outcome. Therefore, to start addressing the limitations of this field study, the definition of market-leading publishers has to remain, to some degree, arbitrary. I selected those who are most influential in the field of non-fiction publishing as defined in this thesis. They are well-established publishers, often internationally operating groups. Still there remains a certain element of arbitrariness, when for example deciding to include Jessica Kingsley, a publisher mainly for social and behavioural science, instead of Boydell&Brewer, whose core programme is on medieval history. However, the cut had to be made somewhere. The over-all selection process was difficult, as a number of factors had to be balanced: apart from the market leading quality, it had to be evaluated whether a publisher falls under this thesis' particular definition of a non-fiction publisher. For example, Dorling-Kindersley, a well established British non-fiction publisher, was not included in the field study. They present themselves as a "family reference publisher", and even though they publish to some degree educational material, it is more targeted at the use for leisure, rather than for work or study purposes. Further surprises occurred during the research stage, when some of the publishers I originally planned to be included, were disqualified for this field study due to

¹⁷⁷ This is according to Ms Waldenmaier from Börsenverein and Ms Bostock from the Publishers Association, who were not able to provide me with such an overview, neither via email nor phone.

company mergers. For example, the German Gabler Verlag founded in 1929 has kept its branded image throughout its history of mergers.¹⁷⁸ Blackwell has very recently been bought by the American conglomerate John Wiley&Sons. In this particular case the latest take-over was ignored and Blackwell, as one of the most traditional academic publishers in the UK, remained in the study. After all, the advanced online services of Blackwell have all been developed by Blackwell prior to its takeover. A fact that was not possible to be established for the German publisher Gabler. In case there should be confusion about the fact that the research does not include international publishing giants as John Wiley&Sons, Wolters&Kluwer and Elsevier, I may remark that the two latter ones are Dutch and the first one is American – therefore they disqualify for this field study on the grounds of their nationality. However, a former part of Wolters Kluwer, namely Kluwer Academic Publishers, will indirectly be included under Springer, as they have recently merged under what is now known as “Springer Business+Science Media”. For reasons of simplicity I will in this study use the abbreviation “Springer” for this new merger.

The sources consulted for this field study are predominantly internet-based primary sources. Unfortunately the companies of interest do not publish lists of their partners. Therefore their customer services have been used in order to gain the relevant information. This means in practice that for the first question, whether the publisher takes part in Amazon Search Inside, the advanced search facilities at Amazon.co.uk¹⁷⁹ and Amazon.de¹⁸⁰ were consulted depending on the publisher’s country of origin. The search results

¹⁷⁸ Gabler has first been bought by Bertelsmann and further merged into Springer Business+Science Media.

¹⁷⁹ http://www.amazon.co.uk/Book-Search-Books/b/ref=sv_b_0/202-8857717-0535830?%5Fencoding=UTF8&node=12552011

¹⁸⁰ http://www.amazon.de/Erweiterte-Suche-B%C3%BCher/b/ref=sv_b_0/303-2759630-9593828?%5Fencoding=UTF8&node=124535011

for the publisher have been checked on the first ten search result pages. In case the Search Inside option appeared more than five times I regarded this as an indication for an existing partnership between the publisher and Amazon Search Inside. The following questions were approached in a similar way. In order to find out whether a publisher partners with Google or not, the Google advanced Book Search was used.¹⁸¹ When titles were presented with a limited to full page view, the publisher's logo and multiple links to the publisher's website, this was interpreted as an indicator for collaboration.¹⁸² In reverse, if there were no entries or only snippets of a text presented, it is assumed that there is no collaboration between Google and the respective publisher at present. For establishing whether a publisher works with Ciando the publishers' list that Ciando's advanced search¹⁸³ engine fortunately offers was consulted. For some publishers cooperation was declared very recently and they do not yet appear in this list. In these cases cooperating partners were identified on the basis of the relevant Ciando press release.¹⁸⁴ For establishing whether a publisher works with eBooks.com, their full text keyword search was used.¹⁸⁵ In case of doubt I either emailed or called the publisher customer service and asked directly from which sources their e-books can be purchased, and whether eBook.com was amongst them.

The most difficult task has been to establish whether a publisher supplies e-books to libraries, either directly or via an e-book aggregator. To this aim multiple sources were consulted. In the first instance these were publishers' websites in order to find out whether they have proprietary solutions. If this was not the case, cooperation with the aggregators eBrary and Netlibrary

¹⁸¹ http://books.google.com/advanced_book_search

¹⁸² I have shown earlier, that this is the standard presentation for titles received via the partner programme.

¹⁸³ http://www.ciando.com/shop/index.cfm/fuseaction/frm_expsearch

¹⁸⁴ Ciando: Ciando kooperiert mit führenden Fachverlagen. Press release, 28.11.2006.

http://www.ciando.com/help/pm/061128_pm_verlage.html

¹⁸⁵ <http://www.ebooks.com/search/advancedsearch.asp>

were investigated. Ebrary fortunately provides a publishing partners list;¹⁸⁶ for Netlibrary I consulted their advanced search engine in a local subscribing library. In those cases I was not able to find information via these sources,¹⁸⁷ I made a phone enquiry with the publisher. I have not distinguished between the different library supply solutions. It is in principle not further specified which particular option a publisher uses, as e-book library supply is not one of the main subjects of this thesis.

To summarise the digital field study's methodological accomplishments and limitations: its main achievement is to provide an overview of current trends viewed by market-leading German and British publishers in the field of non-fiction e-commerce solutions. It might also help to correct the picture about this sector commonly presented by the media. It is supposed to provide an orientation for all those interested in what is actually happening in this young and dynamic field. The main limitation of this method is its selective character. The results of this research can under no circumstances be taken as representative of *the* German, *the* British or especially *the* European publishing industry. For the evaluation of the results, one has to always bear in mind that the examined field is a very narrow one. The results only apply to non-fiction market-leading publishers in the UK and Germany. This study therefore does not claim to be objective or complete – it is meant to serve as a general orientation in a largely undiscovered field.

IV.2 Results of the digital field study

I have compiled the following table to illustrate the results of this digital field study:

¹⁸⁶ <http://www.ebrary.com/corp/aboutPublPartners.jsp>

¹⁸⁷ I also enquired with the German DiViBib, a daughter of EKZ, as to who their cooperation partners are, but my e-mail enquiry remained unanswered. As I have gathered my results without their help, I did not follow up on this unanswered enquiry.

	PUBLISHER	Country	Google Book Search	Amazon Search Inside	e-book download from publishers/websites	Ciando.de	Ebooks.com	e-book supply to libraries	*notes
1	Ashgate	UK	+	+	-*	-	-	+	Planned for 2007
2	Blackwell	UK	+	+	-	-	+	+	
3	C.H.Beck	D	-	-	-*	+	-	+	e-documents
4	Cambridge University Press	UK	+	+	+	-	+	+	
5	Campus	D	+	+	+	+	-	+	
6	Carl Hanser	D	-	+	+	+	-	+	
7	Haufe Verlag	D	+	+	-*	-	-	-	e-documents
8	Hogrefe	D	-	-	+	+	-	+	
9	Jessica Kingsley Publications	UK	+	+	-	-	-	+	
10	Kogan Page	UK	+	+	-	+	+	+	
11	Oxford University Press	UK	+	+	-*	+	+	+	in Digital Reference Shelf, Scholarship Online,
12	Palgrave Macmillan	UK	-	+	-*	-	+	+	will be in Bookstore
13	Pearson Education Deutschland	D	+	-	+	+	-	-*	
14	Pearson	UK	-	+	-	-	+	+	Some imprints in safari
15	Sage Publications	UK	+	+	-	-	+	+	
16	Springer	D	+	+	+	+	+	+	
17	Taylor&Francis	UK	+	+	+	+	+	+	
18	Thieme	D	+	-	+	-	-	+	
19	Walter De Gruyter	D	+	+	-	-	+	+	
20	Wiley-VCH	D	+	+	-	+	-	+	
	Total +/-	all	15/5	16/4	8/12	10/10	10/10	18/2	
	UK +/-	UK	8/2	10/0	2/8	3/7	8/2	10/0	
	+/-	D	7/3	6/4	6/4	7/3	2/8	8/2	

19.12.2006

As the table shows, for the presentation of the data I have made a distinction between positive and negative results in order to show whether the option in question does (+) or does not apply (-) to a particular publisher. For the analysis of the results I chose to provide the total result numbers. The total number is of interest for establishing a general trend in respect to a particular question. I have further listed separately the results for the different countries in order to illustrate possible national trends.

IV.3 Analysis and Evaluation

In the following, answers to the questions posed earlier in this chapter are presented and interpreted.

1. With sixteen out of twenty, the great majority of publishers participate in the Amazon Search Inside programme. This indicates that online marketing and sales for print products are viewed as very important. This seems particularly valid for the UK, where the participation rate of examined publishers is 100%.
2. With fifteen out of twenty, three quarters of examined publishers participate in Google's Book Search Partner Programme. In the UK the participation rate is 80%, in Germany 70%. This can be interpreted as widespread acceptance of Book Search in both countries, which contrasts to the negative press coverage on the issue. Indeed publishers seem far more supportive of the product than publicly known. A further interpretation of the result can be the confirmation of the importance of advanced online print marketing for publishers, as exemplified by participation in the Amazon Search Inside programme.

Still, I would like to stress a previous finding: there is reason to suggest that Book Search might develop into an e-book retail service. It would be naïve to assume that Google's partner publishers, especially these important ones, are not aware of such a possibility. The participation in Book Search might, in this light, also be interpreted as a passive strategy for a future move into the e-book retail sector.

3. With 8 out of 20, less than half of the publishers examined chose to make e-books available for download from their websites, but here it is important to distinguish between the two countries: particularly in the UK, where only two major publishers make use of this option, it appears that proprietary e-book retail solutions are at present not high on many publishers' priority lists. In Germany, however, 60% of examined publishers do offer paid-for e-book download models on their own websites. There seems to be a stronger tendency for even medium-size publishers to enter this territory. The fact that German publishers are more active in this field might be connected to the fact that German language e-books are targeted exclusively at the German language market, whereas the English language e-book market has been established largely in the United States.¹⁸⁸

4. With 50% of the publishers examined selling their e-books through both Ciando and eBooks.com, at first sight publishers seem to be undecided about the use of these retail channels for individual sales of e-books, judged by total numbers. When examining the country results separately, this assumption can no longer be upheld – on the contrary it almost turns into the opposite: 70% of the examined German publishers sell their e-books through the German firm Ciando.com,

¹⁸⁸ I have shown this in the chapter on e-books.

80% of British publishers sell their e-books through eBooks.com. On the other hand, 20% of German publishers sell their e-books through eBooks.com, and 30% of UK publishers make use of Ciando. When taking the country factor into account, it is obvious that both in the UK and Germany a majority of publishers make use of e-book retail platforms. Selling e-books across borders seems, even in the borderless online environment, not a priority to the majority of publishers. This situation might indicate that the national factor does indeed play a role even in a global marketplace environment.

5. The overwhelming majority of publishers seem to give a high priority to university library e-book supply. This confirms this thesis' underlying assumption that e-books are particularly interesting for those who have to work with them, as for example students. 100% of UK publishers supply their e-books to libraries either through their own solutions, as for example Blackwell Library Service or Oxford Scholarship online, or with the help of the established US e-book aggregators Netlibrary or Ebrary. Even though all of these different services at present are targeted primarily at the American library market, there is evidence to suggest that these will see firm establishment on the British market once e-book library use becomes commonly established in the UK.¹⁸⁹ In Germany 80% of publishers provide e-books to libraries. It has to be acknowledged that, apart from exceptions like Springer, most of the German publishers offer their e-books to libraries exclusively through Ciando. Ciando is known in the first place, as outlined above, as an e-book seller. Its library service is an additional service to the e-book retail package for publishers. Therefore e-book library supply is not necessarily of high priority to

¹⁸⁹ I have shown this in the chapter on e-books.

the publishers working with Ciando. However, the fact that more service providers (such as DiViBib and ZEVEP) enter this territory might further indicate that there is real demand for such services in Germany.

IV.4 Individual case studies

As the table shows, Springer and Taylor&Francis are the only two publishers that clearly stand out due to the fact that they offer every single option in question. Therefore I will at first outline their concepts in detail, before comparing their approaches to the ones taken by smaller publishers.

Springer Science+Business Media is Germany's biggest publishing group and the second largest STM (Science/Technology/Medicine) publisher world-wide which presents itself as "Vorreiter in Sachen Electronic Publishing" – a claim that according to this study's results is justified. Since July 2006 Springer offers more than 10,000 e-books on their e-publishing platform springerlink.com. As a comparison, Ciando hosts 15,000 e-books in total, gathered from more than 150 publishers. Springerlink is consequently marketed as a "powerful central access point to researchers and scientists." As to the service of Springerlink at present: the platform is directed at individuals, to whom it offers flexible purchase options for e-content. Customers can register with this platform for free and make use of personalized features, such as the option to save search result lists. The Springerlink platform, however, is not a proprietary construction, but a service provided by Metapress.

Metapress presents itself as "the world's largest scholarly content host"¹⁹⁰ and provides content management solutions for non-fiction publishers. A field they specialize in is the creation of customer access websites for traditional

¹⁹⁰ <http://www.metapress.com/home/main.mpx>

publishers' electronic content, including e-books. One of Metapress' strengths is that it provides sophisticated search options: a keyword can be entered in the fields *full text, title, summary, author, editor, ISBN, ISSN* and *DOI*. The categories made available for purchase are similarly detailed: *book*, which means in fact e-book or digitized print copy, *book chapter, journal* and *journal article*. Every single subcategory has their own DOI, even individual chapters of e-books do. This makes not only the tracking of e-content purchases possible, but also cross-referencing for users easier. Springer is not the only one to make use of Metapress' advanced service. Taylor&Francis, Springer's British equivalent within my digital field study, also uses these services for their "eBookstore,"¹⁹¹ which offers about 20,000 e-books for individual customer purchase¹⁹² – twice as much as Springerlink. All of Springer and Taylor&Francis' e-books can alternatively be found and bought directly via Metapress. It is therefore interesting to observe, who in the long run will establish as a "central access point" for end-users – proprietary publishers' platforms, service providers like Metapress and its competitors,¹⁹³ or virtual libraries, stemming from the various digitization initiatives outlined in the previous chapter.

The Campus Verlag is a German medium-size publisher that clearly stands out in their initiative to make e-books available to the broad public. One of their homepage's main categories is "DIGIBOOKS". Metapress is not used as a service, but Campus has their proprietary e-book reader integrated in the digibooks' browser. It shows a table of contents on its left hand side, displaying in separate checkboxes whether an individual chapter has free reading license or whether these need to be purchased. Title and contents pages are usually viewed for free. At the bottom of the contents list is a link for purchasing the print version from Campus. Digibooks therefore fulfill two

¹⁹¹ <http://www.ebookstore.tandf.co.uk/html/index.asp>

¹⁹² In total: 19.653 on 10.12.2006 <http://www.ebookstore.tandf.co.uk/html/category.asp>

¹⁹³ As, for example, ZEVEP is starting to establish itself as such on the German market.

functions: the marketing and sales of print titles and at the same time the sales of e-books. The customer is given full choice and can additionally benefit from the full text search options. Unlike Metapress services, individual settings are not offered, but neither is registration required. Campus currently offers 306 digibooks on their website, a minimal amount when compared to the title volumes the big conglomerates offer.

The publishers C.H.Beck and Haufe do not offer the option to buy e-books from their websites. Nonetheless they are suitable examples for dealing with e-content. C.H.Beck and Haufe both offer individual documents, so-called e-documents, directly as paid-for PDF downloads from their websites. The previous examples have shown that it is an unwritten but commonly accepted standard to offer individual chapters of a title for purchase. The sales of individual documents is another indication for the fact that flexible purchase options for the end-customer are of great concern to the future development of e-content solutions, as they are already successful at present. Haufe is said to make 50% of their total turnover with the e-documents they sell from their website.¹⁹⁴

Pearson, as one of the world's biggest publishing conglomerates, does not seem to be decided in which direction they want to move regarding the distribution of e-content. Pearson Education UK at present has a rather restrictive policy towards the distribution of digital content. Even though some individual Pearson titles can be found on Ebooks.com, it is not possible to buy or download e-books directly from www.pearsoned.co.uk.¹⁹⁵ Pearson Education Deutschland, on the other hand, does provide this option via their online portal www.informit.de. Furthermore Pearson, through their daughter Pearson Technology Group, is running the e-book subscription service Safari

¹⁹⁴ Hayit, Mirza im Interview mit Tergast, Carsten: Special Recht/Wirtschaft/Steuern. BuchMarkt, Dezember 2006. 72

¹⁹⁵ This was confirmed by a phone enquiry with Pearson UK customer service, 14.12.2006.

jointly with O'Reilly Media. This “e-reference library”¹⁹⁶ for IT professionals contains amongst others Addison-Wesley titles, one of Pearson’s imprints. Compared to the other international authorities examined in this study – namely Springer and Talyor&Francis – who have firm policies on e-book distribution, Pearson seems, due to its un-coordinated e-content distribution schemes within the group, to be slightly behind its competitors. But perhaps Pearson is quietly developing their innovative group-solution and will, as it has been the case before in digital territory, surprise their customers and competitors with an unprecedented new approach? Palgrave Macmillan is, for example, a publisher that at first sight might also bewilder by their relative inactivity. It has to be remarked though, that Macmillan, recently bought by the German Holtzbrinck group, is working on a joint-venture with its mother group. The first version of a project called “Bookstore” is planned to be launched online on the first of January 2007.¹⁹⁷ The idea is to provide a sophisticated access platform for electronic content of the substantial Holtzbrinck Group, as well as for other publishers. While Bookstore is planned to largely resemble Metapress services, in terms of purchase-options, it will work independently from service providers, be hosting its own contents and use proprietary standards for metadata and tracking. The end-customer will be offered comparable services, while Holtzbrinck retains the entire control over its publishers’ contents.

Control over digital content is the key issue for the recently launched “VolltextsucheOnline” project of Germany’s publishers association. VTO, as the Börsenverein project is commonly abbreviated, has been at the centre of discussion at this year’s Frankfurt Book Fair. Börsenverein as well as publishers engaged in the development and set-up of this platform are convinced that it will be the ultimate solution for publishers to ensure the

¹⁹⁶ <http://safari.informit.com/>

¹⁹⁷ Detailed information can be found in the “example for an e-mail enquiry with a publisher” in the appendix of this thesis.

protection of their copyrights. They include digitized copies of books in their full text search system, just like Google does. It is even hinted at the possibility that VTO will eventually collaborate with Book Search.¹⁹⁸ The key difference is that, when working with Google, publishers do not have the opportunity to control which exact pages are viewed online. While in Google's Book Search any page of a book can be revealed, according to where the search-term appears in it, VTO partners can determine the exact pages for disclosure in different platforms. This can be vital, for example, for titles that include copyrighted materials of third parties, such as illustrations.¹⁹⁹ This service comes, compared to other digitization initiatives, at a high price: 17 euros per title per year is the charge publishers would have to pay to the Börsenverein. For this reason VTO has not exactly found overwhelming support by German publishers. A common reaction has been the question: Google and Amazon do it for free – why should we pay for this service now?²⁰⁰ Publishers have largely recognized that the defense of their copyright is not the main issue here, as it is not essentially threatened by digitization initiatives. The Börsenverein may not have realized this situation on time. It seems as if they got engaged in a project which might actually not be in such high demand as they hoped for. Therefore they have already announced the lowering of the charges once the project is working well. Furthermore, they stress the fact that VTO will have more functions than publicly announced at present. For example they plan their own-ebook retail solution.²⁰¹ Although the first public presentation of titles on www.volltextsuche-online.de was planned for the Frankfurt Book Fair in October, this has not been realized up

¹⁹⁸ See for example Roesler-Graichen, Michael: *Das Buch im Visier*. Markt Thema der Woche Digitalisierung. Börsenblatt, 04.10.2006. 12

¹⁹⁹ Telephone interview, Jürgen Harth, member of AKEP Sprecher-Kreis.

²⁰⁰ This was not only a commonplace question at various digitization forums of this year's Frankfurt Book Fair, I was furthermore repeatedly asked this when enquiring with publishers on the phone.

²⁰¹ According to Cornelia Waldenmaier, this would not cause essential problems within Börsenverein, which is both, the German publisher and bookseller association. According to her, booksellers are just as much interested in digital data for a more informed customer service. But also direct e-book retail models for local bookstores are in the planning stage. Telephone interview, 11.12.2006

to the present day. Because of the technical problems and the low publisher support this project is likely to have, it will be interesting to observe over time whether this rather copyright-friendly model will be able to establish a firm market position in the digital era.

IV.5 Conclusion: exploitation of the digital environment by UK and German publishers

The trends this field study shows can be summarized as follows: the majority of British and German non-fiction market-leading publishers are already actively involved in e-commerce solutions in one way or another. On the whole, the often assumed standstill of the industry in the e-book sector, as described by press and official reports,²⁰² cannot be confirmed by the findings of this field study. While the marketing of print titles indeed still has the highest priority, the e-book sector is gaining increasing significance. Where the main priority here seems to be the distribution to libraries, this impression has to be handled with care. As I have shown, e-books might perhaps mainly be supplied to German and UK libraries as a side-effect of the supply for other markets, as the American one or the retail sector. This may lead to the conclusion that in reality the e-book retail sector might be of equal importance. While there are, by and large, common British and German trends regarding the approval of Search Inside or Book Search – retailing of e-books is a field where national preferences prevail. British publishers supply their contents predominantly to overseas' companies such as eBooks.com, though there is reason to assume that this might actually change in the future. Oxford University Press, for example, is already working with the German e-bookseller Ciando. On the other hand, German publishers tend to use German e-book retailers, and tend not to spread their contents through

²⁰² For example the Publishing Market Watch report of the European Commission.

international e-bookstores.²⁰³ However, the contents might still be distributed internationally through their own websites, as for example, Thieme's "e-booklibrary,"²⁰⁴ which is available from both their German and American homepage. As further selected case studies have shown, there are different ways to create one's own retail models for publishers. In principle they can be broken down into two basic methods: either the collaboration with service providers like Metapress, or the creation of proprietary solutions. Service providers appear currently as the quicker road to distribute e-contents through more than one channel (the publisher's website). Proprietary solutions, which guarantee full control over contents (like Holtzbrinck's Bookstore or Börsenverein's VTO) exist at present either in a pre-operational stage or operate on a small scale only, like for example Campus' digibooks. While there are (to some degree) national trends in the choice of external e-book retailers, national preferences for distributing e-books via proprietary solutions could not be identified. This may be the case because proprietary solutions give the publishers the opportunity to target their customer group directly, whereas in foreign markets it may be particularly problematic to control e-book retailers' activities. However, it is difficult to predict whether current national trends will be sustainable in the future in this dynamic field.

V Conclusion:

This thesis has examined three fields: firstly, the market for e-books, next, opportunities and threats of digitization initiatives to European publishers and last, "e-activity" in the traditional UK and German publishing industries at present. The main conclusions this thesis draws are that first, due to their usability, there is a real demand for e-books in the knowledge society.

²⁰³ As I was assured by both Ciando's Press officer and a representative of Hanser, the English version of Ciando is attracting international customers to a sufficient degree at present.

²⁰⁴ www.thieme.com/ebooklibrary

Secondly, due to the large-scale digitization programmes conducted at present, e-books will be available from virtual libraries for the masses – if not by 2010, then certainly within the near future. Digitization programmes, as opposed to initial fears, do not aim at interfering with publishers' copyrights or weakening their market position. On the contrary, if Google's Partner Programme breaks the ground for future development, it can be expected that virtual libraries will increasingly seek direct collaboration with publishers, to the library users' but also to the industry's benefit. Lastly, influential UK and German academic and professional publishers have realised the great potential to both increase their profits and actively contribute to the shift towards the knowledge society. They are actively preparing solutions to determine their own position in the digital era. As my field study has shown, the great majority of non-fiction publishers are not only supporting Google's Partner Programme, but also actively pursuing their own e-book retail solutions.²⁰⁵ Even though at present the mass-appeal of e-books is confronted by significant obstacles and may not bring considerable profits, publishers keep investing in this market. No written evidence can be found to prove this theory, but the findings of this thesis strongly point in the direction that publishers are actively preparing business models with the help of which, for example, they could fill the gap of 20th century works in the European Digital Library. Or, in more general terms: the future virtual library. This source for e-content, be it controlled by Google, the European Union or whomever, will very likely be a combination of the different fractions that currently exist on the e-book market and which I have examined in detail in this thesis. It is well conceivable²⁰⁶ that very soon a single platform will combine the opportunity to download free public domain titles (as previously only

²⁰⁵ The data Google digitizes is currently not handed to the publishers, but exclusively remains with Google, according to an email from Wagner, Johannes of Google Buchsuche Team, 27.12.2006

²⁰⁶ In the case of Google Book Search it is almost evident, as I have outlined in the chapter "Where Google is now – the facts".

possible through Project Gutenberg) with the possibility to download paid-for e-books (as currently offered by specialised e-bookstores only). In this sense, it is very likely that e-books take on an important role in future virtual library concepts. If moreover virtual libraries are established as a reliable source for quality content online (as it is the outspoken hope of the EDL), e-books are likely to become an essential part of the way people work – especially if search engines will include the contents of e-books in their standard web-search (as it is a declared aim of Google). If this really happens, e-books could legitimately be recognised as a milestone in the history of knowledge.

Not only the opportunities for publishers are great here, also their responsibility is high. A database with universal access to e-content can only work under the condition that publishers provide feasible purchase models. Of course, copyright needs to be protected in order to secure the competitiveness and sustainability of the publishing industry. Nonetheless, publishers must guarantee customer-friendly DRM and pricing solutions in order to make e-books mass-appealing and by this propel the greater advancement of the knowledge society. As the field study of this thesis has shown, leading German and British non-fiction publishers are already doing this: detailed pricing policies, as successfully used by e-bookstores like eBooks and Ciando, have been adopted by the market leaders Springer and Taylor&Francis (on the basis of Metapress). Particularly in Germany even medium-size publishers tend to offer comparable models, like Campus or Beck and Haufe. However, it is not clear whether reasonable pricing and DRM for end-customers will be established as a standard. Alternative approaches seem to be on their ways already. With VTO a model is about to be launched that puts explicit stress on the fullest control over copyright. Therefore the field of DRM is not only an important topic for further research, but it could also be a contribution to the quicker establishment of the knowledge society, as it would help establish the lacking standards for the

industry. The industry, perhaps, may at present have better chances to influence the formation of the knowledge society than politicians. The example of Google Book Search illustrates this sufficiently, as it is the only programme which is currently working and is furthermore backed by vast end-customer support. Publishers have also recognized this. The European Commission, however, needed to be reminded of this situation. The “competitiveness of our industry”, as a representative of the Federation of European publishers rightly argued in Brussels, “is vital to the achievement of the Lisbon Agenda to make our Union THE knowledge society by 2010.”²⁰⁷

²⁰⁷ cf. Bach, Dr., Federation of European Publishers, Speech to the Publishers’ Forum, Brussels. 06.12.2005 <http://www.fep-fee.be/SpeechIAB-6-12-2005.pdf>

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Telephone interviews:

Harth, Jürgen – 05.12.2006

Mitglied des AKEP Sprecherkreises

harth@hanser.de

Mr. Harth does not have a signature in his email, which reveals contact details. He preferred to call me on my mobile phone.

Posth, Sebastian – 07.12.2006

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Herner Straße 299 A11/IV

44809 Bochum

Telefon +49 (0)234 3600 827

posth@zevep.com

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Referentin Verleger-Ausschuss

Börsenverein des Deutschen Buchhandels e.V.

Großer Hirschgraben 17-21

60311 Frankfurt am Main

Tel: +49 69 13 06-517

waldenmaier@boev.de

Bostock, Kate

!e-mail-contact!

Trade and International Services

The Publishers Association UK

The Publishers Association, 29B Montague St,
London WC1B 5BW,
Tel: +44 20 7691 9191
kbostock@publishers.org.uk

Rathe, Margarete – 14.12.2006

Geschäftsführung Ciando GmbH
Theresienstraße 33
D - 80333 München
Tel: +49 89 / 28 70 06 30
presse@ciando.com

Knauer, Margit – 14.12.2006

Pressesprecherin Campus Verlag
Kurfürstenstr. 49
60486 Frankfurt/M.
Tel: +49 69 / 976 516-21

VII Statutory Declaration

I hereby declare that I have written this thesis on my own, without anyone else's help. I have also, to the best of my knowledge, acknowledged the sources of all passages and ideas used, and have placed in quotation marks all quotes used verbatim. I have used no other sources or aids than those indicated.

This thesis contains words 22.941

A handwritten signature in black ink, appearing to read 'S. Domke', written in a cursive style.

Sandra Domke, Berlin, 31.12.2006