

## **Google Books Proposed Amended Settlement Agreement**

### **Executive Summary of Amendments**

- All Books and Inserts published in Australia, the U.K. or Canada by 5 January 2009 are now covered by the Settlement
- A Book is "Commercially Available" if a new (i.e. not second hand) copy is available for purchase by consumers in the United States, Canada, the United Kingdom, or Australia from a seller anywhere in the world
- The Removal of Books and Inserts deadline has been extended from 5 April 2011 to 9 March 2012
- The deadline for submitting cash payment claims for Books and Inserts which were scanned before 5 May 2009 has been extended from 5 January 2010 to 31 March 2011
- Australian publishers and authors who wish opt out of the Amended Settlement Agreement, or who wish to opt back in if they have already opted out, must do so by 28 January 2010
- The Registry's board will include at least one author and one publisher from Australia
- Google has the unlimited right to discount the list price of Books for Consumer Purchase. However it must continue to pay 63% of the undiscounted price to the Rightsholder
- Rightsholders may authorise Google to modify or remove the default restrictions on a user's ability to copy/paste or print
- More than one public access terminal can be installed at each public library
- Future Revenue Models are limited to Print on Demand, File Download and Consumer Subscription. Rightsholders can exclude any Book or Insert from any such service
- Google must allow third party resellers (such as booksellers) to sell consumers access to Books made available for Consumer Purchase by Google
- Disputes may be resolved by any method, including arbitration
- Australian literacy based charities will participate in Funds unclaimed after 10 years
- A "final settlement/fairness hearing" will be held on 18 February 2010