The European Commission intends to draw up its provisional conclusions on the effect of the Google Book US Settlement Agreement (the "Settlement") on the European publishing sector, European authors, European consumers and society at large.

**Hearing**

In order to consolidate the fact-finding carried out so far, the Commission intends to organise a meeting to be held on 7 September 2009 from 10.00 to 17.30 at the Albert Borschette Centre, 36 rue Froissart, 1049 Brussels.

**Topics for Discussion**

The Commission is seeking stakeholders' views on the implications, consequences as well as benefits of the Google Book Settlement. In particular, the following issues should be addressed: (1) the scope of the settlement, (2) the amount of European works covered by the settlement, (3) the role of the Books Rights Registry (the "Registry"), (4) the notion of "commercial availability" and (5) issues of consumer access to the new services offered under the Settlement.

*Scope of the settlement*

The Commission is seeking precise details on the exact scope of the Settlement.

The quantity and status of European works covered by the Settlement

The Commission seeks to ascertain how many European works or publications will potentially be affected by the Settlement.

*The Registry*

The Commission also seeks views to what extent and under what conditions the Registry can license third parties.

The notion of "commercial availability"

If a book is designated as "Commercially Available" then Google will not be authorized to make any "Display Uses" of the book unless a rightsholder of the book gives express permission to do so. If a book is designated as not "Commercially Available", then Google will be able to make all "Display Uses" of the book unless a rightsholder of the book instructs Google to exclude the book from one or more Display Uses.

The Settlement makes an essential distinction between books that are Commercially Available and those that are not. In these circumstances, it is of interest to clarify how:

- The specific provisions on default exclusion of commercially available (generally, in-print) books in the display use affect European works and European right-holders.
- The default inclusion of commercially unavailable (generally, out-of-print) books in the display uses affect European works and European right-holders.
Consumer issues
The Commission seeks the views on how the proposed Google services offered on the basis of the Settlement could potentially benefit European consumers, researchers and the public at large.

Practical arrangements:

Registrations for the hearing should reach the following address by **24 August 2009**:  
markt-d1@ec.europa.eu

The maximum number of participants is limited to 80. Therefore, registrations will be accepted in the order in which they are received although priority will be given to those with a direct interest in the Settlement. Confirmation of registration and details of the venue will be sent at least one week prior to the scheduled date.

To facilitate the preparation of the meeting, written statements on the topics to be addressed can also be submitted in advance or at the meeting itself.

Upon registration, and in order to facilitate the organisation, each participant should therefore indicate the topic which they wish to address. On this basis, the Commission services will draw up a speaker's list for each topic. Interventions should be limited to not more than 10 minutes per speaker.

For further information contact:

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