1/ What is Commissioner Reding’s view on the Google books project?

The Commission takes the view that digitisation of cultural products, including books, is a Herculean task that requires close cooperation between right holders and ICT companies, as well as between the public and the private sector. The Commission therefore supports an approach that is open to private-sector initiatives and to technological innovation. Ideological answers are certainly not the best way forward for stimulating innovation, creativity and consumer-friendly offers of digital content.

Google Books is a commercial project developed by an important player in the Internet services market. It is good to see that new business models are evolving which could allow bringing more content to an increasing number of consumers.

Commercial projects alone certainly cannot cover the public interest dimension of the digitisation of cultural products. The Commission recalls that this is why, already in 2005, the Commission launched the project of the European Digital Library Europeana. This project is based on a close cooperation among cultural institutions in Europe and based on the not-for-profit foundation Europeana in The Hague. Europeana currently includes more than 5 million digitised cultural objects, and the Commission expects this number to grow to 10 million by 2010. The Commission calls on all Member States to step up their efforts and contribute directly to Europeana. It is not logical to lament on the one hand against a private sector project, but on the other hand, to refuse placing all books and products digitised by the national cultural institutions also on Europeana.

The Commission calls on Google to be respectful of intellectual property rights, which are the basis for both creativity and the business model of right holders. However, the Commission also looks with interest to new solutions now tested between Google and right holders in the US for making orphan works (works under copyright where the author cannot be identified) better accessible to a broader public. Finding solutions to the orphan works issue is a very important part of the EU’s objective to preserve cultural works. The Commission therefore recommends that stakeholders in Europe look very closely at the discussions in the U.S. to see how the experience made there could best be used for finding a European solution on orphan works.

2/ Commissioner Reding in a speech given on 9 July (SPEECH/ 09/336) said on the digitisation of books:

"We should create a modern set of European rules that encourage the digitisation of books. More than 90% of books in Europe’s national libraries are no longer commercially available, because they are either out of print or orphan works (which means that nobody can be identified to give permission to use the work digitally). The creation of a Europe-wide public registry for such works could stimulate private investment in digitisation, while ensuring that authors get fair remuneration also in the digital world. This would also help to end the present, rather ideological debate about “Google books”. I do understand the fears of many publishers and libraries facing the market power of Google. But I also share the frustrations of many internet companies which would like to offer interesting business models in this field, but cannot do so because of the fragmented regulatory system in Europe. I am experiencing myself such frustrations in the context of the development of Europeana, Europe’s digital library. Let us be very clear: if we do not reform our European copyright rules on orphan works and libraries swiftly, digitisation
and the development of attractive content offers will not take place in Europe, but on the other side of the Atlantic. Only a modern set of consumer-friendly rules will enable Europe's content to play a strong part in the digitisation efforts that has already started all around the globe.

3/ What is the Commission’s position on the recent announcement of collaboration between Google and the national libraries of France and Italy in the context of the Google Book Search project?

The Commission welcomes the discussions between Google and the national libraries of France and Italy on a possible cooperation agreement that would provide wider access to our cultural heritage. These discussions concern books that are in the public domain (i.e. books that are no longer covered by copyright).

We take the view that the digitisation of cultural products, including books, is a Herculean task that requires close cooperation between right holders, cultural institutions and ICT companies, as well as between the public and the private sector.

The Commission would like to see that as a result of the collaboration between Google and the national libraries, public domain books digitised by Google will not just be accessible through Google Book Search, but also through the websites of the national libraries and in turn through Europeana - Europe’s digital library.

It is essential that books in the public domain in the analogue world, remain in the public domain in the digital world and can be enjoyed by the widest possible audience.