

August 27, 2009

Google, Inc.

Address: 1600 Amphitheatre Parkway Mountain View, CA 94043 U.S.A

Dear Dr. Eric E. Schmidt

### Statement against the Proposed Settlement of Lawsuits over Google Book Search

Google Inc. in the U.S. has scanned copyrighted works without prior consent on a massive scale and has accumulated the copies thereof in Google Book Search based only on the logic of a single private company. Such scans and accumulation obviously infringe the copyrights in the light of the Copyright Law of Japan. We believe the actions stated above taken by Google Inc. are difficult to comprehend in countries which have different copyright laws. Moreover, Google Inc. perceives only whole books as units of copyright, and lacks consideration for copyrighted works such as photographs, paintings, and illustrations which consist an important part of the whole copyrighted works. On such a basis, Google Inc. has unilaterally set a deadline and offered the settlement to copyright holders in each country without any due explanation. These actions show the contempt of copyright holders and situations surrounding copyright in each country, and we express our regret over these actions.

We protest strongly against the settlement proposal offered in such a course of events because inserted photographs are not recognized as copyrighted works and objects in the proposal. In many cases, the rights to photographs inserted in a book are retained separately from the authorship of the book. It is unacceptable by any means that such authorship for photographs is totally ignored.

We, representing Japanese authors of photographic works, hereby demand that Google Inc. in the U.S. treat the inserted photographs in good faith and explain the reason why inserted photographs were excluded from the settlement proposal.

Japan Photographic Copyright Association

Japan Professional Photographers Society  
Japan Advertising Photographers' Association  
Japan Photo Culture Association  
Japan Bridal Photograph Society  
Japan Photographers Association  
The All-Japan Association of Photographic Societies  
Association Japon de la Presse Sportive  
Society of Scientific Photography  
Japan Nature Scenery Photograph Association  
Japan Portrait Photographer's Society

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URL address: <http://www.jpca.gr.jp>

Attachment: - General description of Japan Photographic Copyright Association