

Strike-watch

Staff at Associated Press (AP) and Associated Press Television News (APTN) have voted overwhelmingly for strike action against plans to close their final salary pension scheme. And in March, eight out of ten members working for Newsquest supported the principle of action against a pay freeze in an indicative ballot. Watch www.nuj.org.uk for further strike dates, on which you may find yourself unavailable. Freelancers who suffer hardship as a result of being unavailable should contact the striking chapel.

Supping the waters of Liffey

IRELAND'S government in March published proposals to change copyright law – and, even more so than those under consultation in the UK, these appear designed largely to serve the interests of Google. Like the UK, Ireland proposes to legalise “private copying” (good) but without the “fair compensation” demanded by EU law (bad).

The Irish government recognises

that it cannot bring in so-called “fair use”, the vague US legal doctrine much beloved of Google because it means anyone objecting to copying of their work has to raise hundreds of thousands, or more, to get a court to decide whether the use is in fact “fair” (see “Prof vs prof” below). So it proposes making Ireland's law just a bit vaguer, and lobbying to change European law. Both the NUJ and the

European Federation of Journalists have responded to the proposal, the latter pointing out that its claim to promote “innovation” is meaningless without support for those who actually innovate – such as journalists – over those who would organise all the world's information without asking and sell ads alongside it. Look out for the responses at www.londonfreelance.org/ar

Prof vs prof in e-book copying battle

A US FEDERAL court has rejected 94 of 99 claims by publishers of copyright violation by Georgia State University in use of “e-reserves” – electronic copies of articles and book chapters. Judge Orinda Evans ruled that the copies were by “fair use” – the ill-defined US rule allow-

ing use of work without permission or payment that Google would like to introduce into Europe. UK “fair dealing” law sets out more clearly what people can do with your work.

Judge Evans also imposed a limit of 10 percent of a book being used and said that publishers may have more

claims against college and university e-reserves if they offer convenient, reasonably priced permissions. The association of university presses backed the publishers, and said it was “premature and unwise for anyone to declare victory or defeat.” That would tend to suggest an appeal.



May Day: pay yay!

London Freelance Branch members went on a leafleting expedition through the streets of London on May Day, to publicise the Cashback for Interns campaign – see www.londonfreelance.org/interns – and the fact that unpaid work is in many cases illegal. We distributed 500 of our “End Unpaid Work!” leaflets – one's shown here held by LFB's own Arjumand Wajid – to generally sympathetic passers-by.

Image ©Tony Rizzo

E-book economics in court

IN JANUARY Apple announced a partnership with publishers McGraw Hill Education, Pearson and other publishers to sell e-book versions of academic textbooks via the iTunes store and its i-Books app. Some fear this fulfils the prophecy of the late Steve Jobs, who told his biographer “textbooks are an \$8 billion industry ripe for digital destruction”. The first such i-Book textbooks appeared in January. Some seem not to be sales of books to keep, but one-academic-year licenses for US\$14.99.

Then in March the US Department of Justice warned Apple and five textbook publishers – HarperCollins, Pearson imprint Penguin Group, Macmillan, Simon & Schuster and Hachette – that it planned action for alleged price-fixing of e-books. Some

publishers agreed to an out-of-court settlement offered by the DoJ: Penguin, Macmillan and Apple are preparing to fight in court. Apple said in its filing that “The Government sides with monopoly, rather than competition, in bringing this case.”

The case centres on the “agency model” for e-book pricing, in which the publishers – not the e-retailers – determine the price to the consumer. Were publishers “induced” by Apple to adopt an agency model? Classical economics predicts that the implication of retailers setting e-book prices is to drive these toward the marginal cost of a copy: roughly zero. See www.londonfreelance.org/fl/1106eboo.html for more on the murk of e-book pricing.

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Google wants more photos for free

GOOGLE is targeting freelancers to take part in its new business photography service – and offering terms that prove they're still not interested in respecting copyright.

Not content with threatening the copyright system, making millions of books available of online without permission of authors or publishers, Google has turned its attentions to photographers with its Business Photos scheme.

Google Places wants small businesses to register and upload panoramic images of their workplaces. It's a natural extension to Google Maps and Street View. And through Business Photos, the world's biggest search engine is using photographers to obtain images for their business listings service for the ground-breaking price of, well, nothing.

In a nutshell, Google asks photog-

raphers to shell out around £1500 for specialist 360-degree panoramic gear and editing software, to contact prospective business clients directly, to hand the images produced over to Google for free, and to give away copyright to the business owner.

Oh, and any liability issues fall at the photographer's feet too.

It's a business-model only Google would try and pull off. But at the time of writing Google had already signed up 22 UK photographers.

The photographer does get to negotiate a fee directly with the client – but that could be done without Google. The photographer gets the “opportunity” – and I use the term uncomfortably – to call themselves a Trusted Photographer.

While registering for Google Places is free, Google aims to rake in cash from local business by per-

suading them to sign-up for extras. They are using freely-obtained – and quite expensive – photography to drive the venture. A single 360-degree panoramic image should cost between £250 and £500.

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So – is copyright hard?

Without the protection of copyright law, freelancers would have little to sell. So it's important.

The idea that copyright is hard to understand mostly benefits lawyers. The *Freelance* reports developments in the field as they come up: naturally, these tend to be at the edges of the subject.

So with this issue we present our cut-out-and-keep guide.

We believe it answers almost your day-to-day questions.