

Authors Guild Appeals Google Books Lawsuit

Last November, Judge Denny Chin dealt a blow to the lawsuit filed by publishers and the Authors Guild against tech giant Google and its Google Books service. Chin, of the Second Circuit U.S. Appeals Court, dismissed the case, which challenged the legality of Google Books providing searchable PDFs of copyrighted works. On Friday, April 11, the Guild filed an appeal in the case, marking the latest flare-up in a long-running suit with major implications for copyright law in the United States.

Google has been scanning titles into Google Books since 2004. While works that are in the public domain are available to read in their entirety and download, books that are still under copyright can only be searched by users, allowing users to read multiple paragraph “snippets” of titles that are relevant to their searches and offering links that let readers purchase ebook versions of the titles (when available) through companies like Amazon.

Google has been getting sued over the practice for almost as long as it has been around, with the Authors Guild filing the current suit in 2005. Chin rejected a proposed \$125 mil-

lion settlement in the case in 2011. The November dismissal was just the latest strike against the guild’s lawsuit, which alleges that scanning the books and making them available to search amounts to a violation of copyright law. That argument didn’t hold water with Chin, who found in November that Google Books’ presentation of the works was protected as fair use.

In a statement accompanying the announcement, newly elected guild president Roxanna Robinson took Google to task, accusing the company of a purely commercial motivation in scanning titles and making them searchable through Google Books. “Authors and authors alone have the right to decide whether and how their books are converted to ebooks,” Robinson said in a statement. “Yet in its effort to gain commercial advantage over competitors, particularly Amazon, Google chose to usurp that basic right, putting authors’ works and livelihoods at risk.”

Court watchers don’t seem to think the appeal will have much in the way of legs, though, as the argument is at odds with a significant body of court opinions at this point. “They have made it quite clear that they view the last ten years of fair use case law as a giant mistake, and they would like it reversed,” James Grimmelmann, a law professor at the University of Maryland specializing in Internet law, told *Hotline*. “Their view is in tension with what is very well established case law.”

The guild also proposed a new alternative to the content discoverability service Google Books provides to

Interview

Kathleen Krull

Zoos and animals have long been a huge part of our culture. In her latest picture book,



What’s New? The Zoo! A Zippy History of Zoos (illustrated by Marcelus Hall), author Kathleen Krull fills readers in on the ins and outs of fascinating animal collections and menageries from ancient times to the present.

What was the strangest fact you came across while researching the book?

What most struck me was that zoos are a fascinating lens on world history. After that first zoo opened in Iraq, the idea caught on in Egypt, Greece, and China. The Aztecs had a collection of animals that it took 600 men and women to care for.

What kind of research did you do for the book?

Many of my sources were scholarly tomes from the library at the University of California–San Diego. A considerable amount of cool info didn’t make it into the book. I wouldn’t call this a definitive history but more of a “best of.”

What do you see the zoo of the future looking like?

I’ve read some intriguing predictions, like getting to visit woolly mammoths and other long-extinct animals after their DNA has been cloned to re-create them. Also predicted are zoos constructed entirely of super-high-definition 4-D TV screens that portray animals in the wild so realistically that they will no longer need to be captured and brought in.

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researchers and book browsers. “Congress should create a National Digital Library that would be available at every campus and in every community,” Robinson said in the statement. The guild suggests that this nonprofit digital library would do for books what the American Society for Composers, Authors, and Publishers (ASCAP) does for the music industry, offering a clearinghouse in which authors and other rights holders could post full pages of published works—rather than just the “snippets” of relevant content that Google makes available for search. Unlike ASCAP, which is a compulsory service, authors would be free to refuse to participate in the proposed digital library.

But, said Grimmelmann, it’s hard to get a legal ruling overturned because the laws involved might change down the road. “Saying the court should decline to rule on the basis of the law as it is written because Congress might change that law is an odd position to be in,” he told *Hotline*. The guild remains involved in another related case against HathiTrust, with the Authors Guild’s appeal of a HathiTrust victory in 2012 still pending.

Newport News Launches Open Usage Software

Virginia’s Newport News Public Library System (NNPLS) launched StatBase, an open source usage statistics program that enables libraries to track and visualize data on circula-

tion, patron registration, door counts, reference, acquisitions, instructor-led courses, and more. The application is available as a free download on SourceForge.

“We had a strong need to change the way that we did our data gathering in order to get better results and more visible outputs,” said Alexandria Payne, digital services manager for NNPLS and project manager for StatBase. “It’s a systemwide effort that probably affects every staff member. For that volume of work, we just felt that our 20-year legacy of spreadsheets wasn’t cutting it anymore.”

As with many libraries, usage data plays an essential role in the allocation of resources at NNPLS, as well as in discussions with stakeholders regarding funding and other issues. But spreadsheets, while adequate for tracking data, offered limited visualization tools for spotting trends or building narratives around those trends.

“There are very sophisticated options out there, but we knew right off the bat that the cost and the maintenance of those resources would be a little bit more than we could probably handle,” Payne told *Hotline*. “We wanted something small, something simple.”

After a “casual overview” of the market, NNPLS decided that there were no products that met its needs for both long-term affordability and simplicity. Facing a pressing need to streamline data collection workflow for staff and provide NNPLS leader-

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Call for Proposals

THE DIGITAL SHIFT: LIBRARIES @ THE CENTER

Library Journal and *School Library Journal* are looking for a wide variety of program proposals for this virtual event, to be held on October 1, 2014.

Visit www.thedigitalshift.com/tds/call-proposals-libraries-at-the-center

Deadline for submissions is May 2

ship with better visualization tools, Payne, along with usability specialist John Curtis and developer Vanessa Carpenter, began developing StatBase in the summer of 2011. Later, the team was joined by developer James Messimer.

The group began by analyzing the pros and cons of three open source content management systems (CMS) including WordPress, Drupal, and Joomla. They decided that WordPress would have the lowest learning curve for staff but was better suited to blogging than data transport and might have faced scalability limitations. Drupal was much more powerful but would have presented more of a development challenge for the small team. Ultimately, they decided that Joomla was a happy medium.

The team gave themselves one year to get a beta version up and running and managed to meet their goal, with Payne, Carpenter, and Curtis working independently on the project whenever they had time. After the library beta tested the system through 2012 and 2013, StatBase debuted in public release on SourceForge in late March for other libraries to use.

StatBase features customizable, web-based data-entry forms that libraries can use to track data at multiple branch locations, along with visualization tools that make it easy to convert that data into a variety of charts and graphs. The system can also ingest or export data from Microsoft Excel, and multiple users can work within StatBase simultaneously. StatBase also offers user permissioning by login or branch, should a system wish to limit what individuals or branches can input or view.

Payne hopes that other developers take advantage of StatBase's open source license and pick up where NNPLS leaves off, creating new modules for the library community and customizing the program.

NBA Star Behind One of Largest U.S. Ebook Libraries

Akron Public Schools is like many public urban school districts in the country—lacking funding to achieve performance goals that need investments in technology. But the LeBron James Family Foundation (LJFF) and its Wheels for Education program, started by Akron native and Miami Heat basketball star LeBron James (pictured), has given Akron Public Schools one of the largest e-library sites in the country.

The e-library can be accessed by any Akron student, from elementary to high school, each with his or her own login information. On March 28, the Akron *Beacon Journal* reported, “With more than 3,400 books available, teachers can expand the library by simply requesting new titles.” Wheels for Education has committed to providing a lifetime supply of books, in addition to the \$100,000 of books already donated.

According to LJFF executive director Michele Campbell, they will “continue to take a new class of Akron kids every year, [because] we want to concentrate our efforts on changing graduation rates in Akron.”

The e-library is possible because of a partnership for this venture between LJFF, Sebco Books, and ABDO Publishing, a popular school and children's book publisher.

Danny Comer, owner and vice president of Sebco, said his company had originally donated print books, but an e-library “logistically makes more sense.” Comer explained that ABDO provides its titles and Sebco “hosts” the ebook files on its server, thus serving as the library administration for Akron Public Schools. The titles are sold with a multiuser license, allowing for an unlimited number of copies of a book to be accessed when needed.

The e-library is enhanced by the LJFF donation of approximately 1,300 Hewlett-Packard laptops and desktops and 700 Samsung tablets, portioned out to every school in the district. Desiree Bolden, manager of Extended Learning at Akron Public Schools, noted that the school district also pitched in and “provided Chromebooks...to all buildings.”

The decision to transition to an e-library was a logical one, because “[Akron] students are ‘digital natives.’ Technology to them is like breathing,” Bolden told *Hotline*. According to Bolden, “The program is still new,” but Akron Public Schools and LJFF are “determined that [students] will have access” to whatever they need in order to succeed.



The LeBron James Family Foundation has been instrumental in creating one of the largest e-libraries in the country in the Akron School District.

“We developed this resource for us internally, but there’s only so much that you can dedicate to it before you have to kind of wrap it up in a bow and say, ‘This is all we’re going to put into it,’” in terms of development and expansion, Payne said.

San Diego Schools May Restore Library Services

More San Diego students may see the inside of their school libraries again, if a proposal from Superintendent Cindy Marten goes through for

the 2014–15 school year. More than 20 percent of the 180 schools in the San Diego Unified School District, roughly 40 facilities, have been without regular access to their school libraries since budget cuts in 2008 forced the district to reduce staff. This left media centers without qualified people to keep the library doors open and run them, said Barbara Baron, the district’s program manager of instructional resources and materials.

The closings followed the remodeling and construction of many new school libraries throughout the district. But now, “[These] libraries are basically closed,” Baron told *Hotline*. “In some cases, human resources has identified a person at the school who can do some circulating of materials. But they cannot run a library.”

Margie Strike, labor relations representative for the California School Employees Association (CSEA), which includes library “media techs” (their official title) in its union, said that books have been stolen from the libraries’ shelves in some of these unused facilities.

San Diego’s community has been vocal about restoring access to school libraries. During a January board meeting, Marten gave her recommendation for the 2014–15 budget, including her suggestion to open each school’s library one day a week, said Baron.

Some San Diego schools, such as Curie Elementary, have been able to keep libraries open at least part-time through fundraising efforts. Curie Elementary’s principal, Chris Juarez, decided to run a marathon in spring 2008 and used the event as a fundraiser that yielded \$26,000 to cover a library paraprofessional for the following school year. But Baron is still working in the K–5 library for three hours a day; students rotate through the library for an average of 30 minutes a week, checking out books and having story time on the rug.

Branching Out



Big doings in Cincinnati as the Public Library of Cincinnati and Hamilton County celebrated three groundbreakings on April 21. The 2,500 square foot **Clifton Branch** storefront, occupied for 50 years, will be replaced by the renovated 10,000 square foot historic home known as Parkside Manor, built in 1895. Another storefront facility, the 2,000 square foot **Reading Branch**, will be supplanted by a new 12,000 square foot building that will include a drive-up service window and lots of parking. Situated in the St. Bernard Municipal Center since 1970, the **St. Bernard Branch** (rendering) will grow to 8,000 square feet on ground donated by the town. Each branch will include a computer lab, meeting/program space, Maker spaces, and larger collections. The Reading and St. Bernard facilities are seeking Leadership in Energy & Environmental Design (LEED) certification.

Despite delays that might have brought lesser projects to a halt, the Compton Community College Library, CA, finally opened in March. The 45,000 square foot library, initial-

ly costing \$25 million, was expected to open in 2007, when a raft of code violations were discovered, leaving the building idling for seven years. An additional \$4 million in upgrades completed the job for what is now the **El Camino College–Compton Library Student Success Center**.

The two-story structure has floor-to-ceiling windows, tutorial centers, an art gallery, and a computer lab, according to the *L.A. Times*. More than the building was in trouble back in 2006, when the school lost its statewide accreditation; it was eventually incorporated into El Camino College. The Compton Community College District has yet to regain its accreditation.

The 1975 **North Pole Branch Library**, now measuring 4,520 square feet, is being replaced by a 16,000 square foot facility, which is already in the works. Grants, Alaska state funds, and other donations will cover the \$12 million effort, with no direct impact on taxpayers. A \$100,000 donation from the Fairbanks Library Foundation will also boost the contribution from the Rasmuson Foundation to \$500,000 as part of a matching grant program. Those dollars will cover landscaping, furniture, and fixtures, according to News-Miner.com. The library, which is expected to open in early 2015, will include reading rooms, a children’s section, a computer room, a business center, and public gathering spaces.

Send information on groundbreakings and ongoing and completed building projects to blfox@mediasourceinc.com

Library access for teachers is also a concern, according to Baron. She said that with school libraries closed, educators do not have the print or digital resources they need to meet the Common Core State Standards, nor the staff to communicate how to use these resources that support student learning. “Your library is one of the best sources you have to authentic rigorous texts,” Baron said. “When they’re closed, you have limited access.”

Yet Baron is beginning to work with the district’s resource librarian on ideas that would prepare Marten’s proposal to go through.

Under Construction: Computers in Libraries 2014

Maker spaces, open source platforms, and other library rebuilds were the touchstones of this year’s Computers in Libraries conference (CIL). The attendee statistics for the 2014 gathering, held April 7–9 in Washington, DC, are identical to those of a decade ago: 2,000 attendees from 46 states and 13 countries. However, the number of speakers doubled, to 200. With approximately one-third of the presenters making their CIL debut, there was a palpable sense of excitement vibrating through the halls and conference rooms of the Washington Hilton.

Often, a library conference is only as interesting as the foundation of technology and innovation upon which it is based. Some years, the underpinning is underwhelming and the subject matter flat. Then there are years like this one, as attendees brought fresh ideas to the rising tech trends of gamification, Maker spaces, open data, and hackathons. Those who followed the conference’s Twitter hashtag, #CILDC, were treated to a fast-moving stream of new perspectives.

In 1985, when this conference launched under the name “Small Computers in Libraries,” only the most sav-

Columbia University’s Rare Book & Manuscript Library, New York, has partnered with the **Chinese Academy of the Social Sciences’ Institute of Modern History**, Beijing, to digitize the papers of politician **Wellington Koo**. The collection includes correspondence, diaries, memoranda, manuscripts, and photographs.

Pennsylvania State University, University Park, received a \$440,000 grant from the **Andrew W. Mellon Foundation**. The money will go toward software development to enhance how faculty organize and archive information.

The **State Library of Ohio**, Columbus, was named one of the *Columbus CEO* magazine and 10TV Top Workplaces. The rankings are determined through employee feedback.

Lewis & Clark Library, Helena, MT, received the **2014 Excellent Library Service Award** from the **Montana State Library**

Commission. It was presented at this year’s Montana Library Association conference, April 9–12, in Billings.

University of South Carolina Libraries, Columbia, selected **Innovative Interfaces’ Encore with EBSCO Discovery Service**. It allows for a single search of its local collections and full-text articles provided by EBSCO.

Gale Cengage announced the winners of its “Libraries Are Beautiful—Inside and Out” photo contest. Each “Best of Category” winner received \$500, and **Benjamin L. Hooks Central Library**, Memphis, was awarded “Best in Show.”

Participation in the **Outside the Lines** campaign was announced, and interested libraries can learn more at bit.ly/1dtDbPo. The weeklong event, September 14–20, 2014, focuses on reintroducing the library to its community.

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vy of futurists could have foretold that, in less than three decades, not only would there be a proliferation of the reverse—small libraries in computers—but also Minecraft in libraries, 3-D printers in libraries, and augmented realities in libraries. Nor would they have guessed that there would be, as this year’s theme of “Hack the Library” implied, libraries that have fundamentally become computers: not just repositories of knowledge but generators of content and gateways to social change.

On Sunday, April 6, preconference attendees packed an evening showcase of “Games, Gadgets, & Maker spaces.” The MaKey MaKey invention kit, which can turn any object into a computer touchpad, was an instant favorite, as folks lined up to play a game of Tetris that employed several bananas in place of a keyboard. Meanwhile, across the room, it was becoming

clear that 3-D crafting and electronic gadgetry in libraries are still in their infancy, which is to say that many of the tools on display were essentially crayons and blocks. Of course, these blocks were enhanced with circuitry, and snapping them together meant building a robot. And a crayon that proved irresistible was the 3Doodler, an electric pen that writes with colored plastic that hardens into three-dimensional shapes. As the participants took turns with the gadgets and helped one another to figure out the subtleties of LEGO-based mechanics, the evening transformed into an excellent demonstration of a concept that would be repeatedly pointed out in the days to come: The reasons for adding a Maker space to a library, or for hosting a two-day hackathon, is not to create a menagerie of plastic miniatures or a suite of hastily design software but rather to

foster peer-to-peer learning and community organization.

The Monday through Wednesday range of keynote speakers held true to the hacker sensibility, though presenters were vastly different in terms of their approaches and résumés. There was a director of an Ivy League library innovation lab, the chief library officer (CLO) of a major metropolitan public library, and an urban planner with no library background. They came ready with their own ideas of how to be a change agent and create positive disruption in the library space.

New York Public Library (NYPL) CLO Mary Lee Kennedy is also an advocate for taking the library outside of its established confines. During Tuesday's keynote, she provided a variety of concrete examples of how NYPL is accomplishing that task. She impressed the audience with a demo of the NYPL Map Warper, a crowdsourcing tool that layers contemporary digital maps over digitized versions of historical maps. She also highlighted her library's efforts in lending out MiFi hot spot devices, bringing portable Internet access to

the homes of students who otherwise would go without.

Mike Lydon, an expert on "Tactical Urbanism," gave the closing-day address. His talk focused on the white hat hacking of city streets, where citizens create their own needed crosswalks, bike paths, and curb extensions, starting small and ultimately gaining local government approval for permanent change.

Report: Young Readers Embracing Ebooks

The majority of students 13 and under are picking up ereaders to enjoy their favorite books—with 92 percent doing so at least once a week—said the final section of the three-part study "Exploring the E-Reading Habits of Children," released earlier this year.

The report, from the strategy group PlayCollective and the publishing online educational platform Digital Book World, found that two-thirds—or 67 percent—of children under 13 are reading digital books compared to just 54 percent in 2013.

"A generation of avid child ereaders

is finally among us," said researchers of the study, who interviewed 899 parents about whether their children read digital books and built the study on the 603 who answered yes.

Ebook adoption has grown throughout libraries and schools and at home as students gravitate to digital media and the devices that deliver them. Parents are also eager to have their children fluent in these new media skills, believing they are important to their success in school.

Although focusing primarily on digital reading behavior and tools, the study found that print remains the most popular format that parents choose when reading with their children. Students prefer print as well—at least for now. While researchers noted that parents gravitate to the printed word for a bedtime story or two, their children are leaning toward the digital format, with 40 percent preferring digital books to the 26 percent who prefer print titles.

More than half—or 54 percent—of parents also stated that their children ask for ebook versions of the tales that they already own in print form. Researchers believe this data points to children considering the two versions as distinct.

"This appears to indicate that children do now view print and ebooks as redundant but as unique reading and companion experiences," said the study.

Parents are hungry for more delivery options, particularly subscription service plans and even additional "quality full price ebooks" over free versions or library ebook rentals. Their decisions, however, appears to lean toward whatever direction their children choose, as student demand is apparently driving ebook adoption by parents eager to feed their family's hunger and interest.

"Although parents are still the primary purchasers, they are more likely than ever to follow their children's desires in selecting what to read," said the report.

People

Marquita Boehnke retired as Youth Services Consultant at the Central Kansas Library System, Great Bend. She had worked for the library for 39 years.

Elizabeth Dailey announced her retirement as Director of Onondaga County Public Library, Syracuse, NY, effective this summer. She has held the position for five years.

Keith Fox was appointed Chief Executive Officer at Phaidon Press Ltd. He was previously President of the Construction Division at McGraw Hill Financial.

Jane Goh was named Senior Director of Marketing and Product Management for Boopsie,

Inc. She was previously a Medical Reference Librarian at Stanford University, CA.

Erika Kosin was promoted to Library Services Manager at Rowan Public Library, NC. She previously served as its Children Services Supervisor.

Sarah Landeryou was promoted to Director of Wilkinson Public Library, Telluride, CO. She was previously Budget and Collections Coordinator for the library.

Sarah Pinard was named Processing Archivist at the University at Buffalo Archives. She was previously Assistant Archivist at Sarah Lawrence College, Bronxville, NY.

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