

The Queen, Rupert Murdoch and Bing



Rumor has it that Rupert Murdoch might only allow Microsoft's Bing search engine to index content on News Corp websites in the future.

If there's one single issue that has been at the forefront for anyone involved in the creative world, especially for photographers, it's that of copyright. I have covered the subject several times in the past couple of years, but it is far from being resolved. If anything, it is becoming more controversial.

I'm sure most of you have read comments from Rupert Murdoch, the head honcho of News Corp, which owns Fox News, the *Wall Street Journal*, the *London Times*, as well as hundreds of other newspapers and TV stations around the world. He is adamantly against Google, which he says steals content and consequently profits from it to the detriment of his properties.

Murdoch has publicly threatened to have all his publications excluded from Google searches. It's very easy to do as all it requires is including a simple line on each website that tells robots not to crawl the site for indexing. Then the robots that scan the Web looking for infor-

mation will indeed exclude those sites. Of course, there are many people who would welcome the exclusion of News Corp so the sites cannot be found!

Far more worrisome though is the rumor, as I write this column, that News Corp may make a deal with Microsoft to only have its publications searchable via Microsoft's Bing search engine. In return for this exclusivity News Corp would receive payment from Microsoft and a share in any revenue. Pundits point out that Microsoft, although it is losing tons of money with Bing, might see this as a way to gain traction over Google, especially if it can get other publishers to join in and exclude their sites from Google.

In the big scheme of things, if this deal comes about, it will be a shame as it means we will have to visit more than one search engine in order to find content from the whole Web. It might even lead to the sectionalizing of the Internet. I think we can all agree that one of the great ideals of the Internet as it stands today is that every-

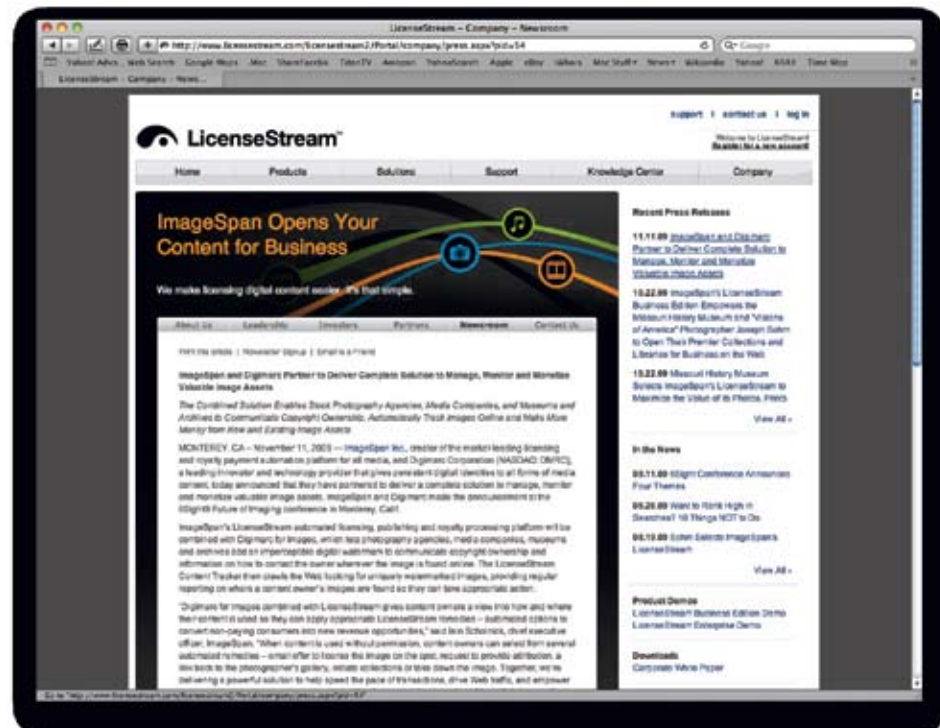


If you want to keep abreast of copyright issues, CopyrightAction.com is a good one, especially for photographers.

where is pretty much equally available for all to see and find via Google, Bing, Yahoo or other search engines.

Queen Anne and Queen Elizabeth II

Governments around the world are all grappling with the issue of copyright in today's changing world. Sadly many will probably succumb to incumbent (i.e. old school) companies and their old business models that are not working too well in today's open environment. Take Britain. In the Queen's annual speech at the traditional opening of a new session of Parliament, she included reference to the Digital Economy Bill, which is being put forward by the present Labor government.



ImageSpan's LicenseStream has teamed up with Digimarc to help photo agencies and other providers of digital images keep track of image use on the Internet.

Although I have read some of the commentaries, I am not exactly clear what the proposals portend for the future of copyright and in particular how it may affect photographers. I've read many blogs and forums that oppose what's being suggested in the bill. The irony is that both sides, for want of better description, are opposed. Photographers in the U.K. say the bill will weaken copyright for photographs by allowing their non-commercial use without compensation. On the other hand the "opposition" says the new law will be too tough on consumers as it'll make it very easy to punish people for copyright infringement brought on by the music and movie industry giants, who are against file sharing.

I'll bet that Queen Elizabeth II is as confused as anyone about what to do. In case you're wondering what a bill in the U.K. has to do with the rest of the world, it's worth remembering that it was one of her distant relatives, Queen Anne, who first introduced a copyright statute in 1709 that gave authors, rather than printers, copyright to their works for a term of 14 years. Just

search for copyright history on Google (or Bing) and you'll find that copyright issues are nothing new. In 1503 Aldus Manutius complained that with the emergence of a book market there was a tremendous problem with counterfeit and plagiarism that was not always viewed as disgraceful.

Part of the bill in the U.K. plans to educate consumers on what copyright entails. In my view that is a good start. There are far too many people who just presume that because it's on the Internet it's free. Anecdotaly, there seem to be more lawsuits being brought against the copyright infringer—and many of them are successful. Getty recently won a case against a small company in the U.K. that had a photo on its website; apparently the Web developer had presumed it was copyright free. Even after paying Getty a retroactive fee, the case went to court and Getty won. The court decided the business was liable, not the Web designer, and the owner ended up paying over \$40,000 in costs and fines.

Getty and Corbis have been sending out many letters to infringers in the U.K. and it has caused much gnashing of teeth on business forums where many people think Getty and Corbis are being greedy asking for unreasonable amounts of money for what many see as minor copyright infringements.

On the other side of the coin there are plenty of photographers who willingly allow their photographs to be published on websites without payment. Some of them encourage it as a way of promoting their name that leads to further work where they get paid to do shoots.

Do I have an answer for this apparent dichotomy? No. Do I think it will eventually be resolved? Yes. I think that much of what's available on the Web will continue to be free. However, I suspect

some will become available by subscription or on a pay-per-use basis. Eventually it should be easier for consumers to figure out what is freely available to copy and what is not.

Fortunately there are mechanisms coming into place that will facilitate this ability. For example ImageStream and Digimarc have recently teamed up so that photographers can easily market their photos and keep track of where they are appearing and easily contact violators and demand that they remove photographs or pay for their use.

I am convinced this demonstrates that we will eventually have an automated system that registers every photograph as soon as it is captured so that use of the photograph can be tracked and payment can be made automatically if requested.

I'm not quite sure what we will do with all the billions of "untagged" photographs that are floating around the Internet. That's where the Orphan Works bills, in the U.K. and the U.S., come into play. It's another area of controversy for us in the creative content creation field to keep track of in the coming year.

Safari Books Online

I recently visited my local Borders bookstore and found it had been revamped and its sections moved around. I was astounded to find that computer-related books had shrunk from several aisles to just one, with perhaps just one-third the number of books on display.

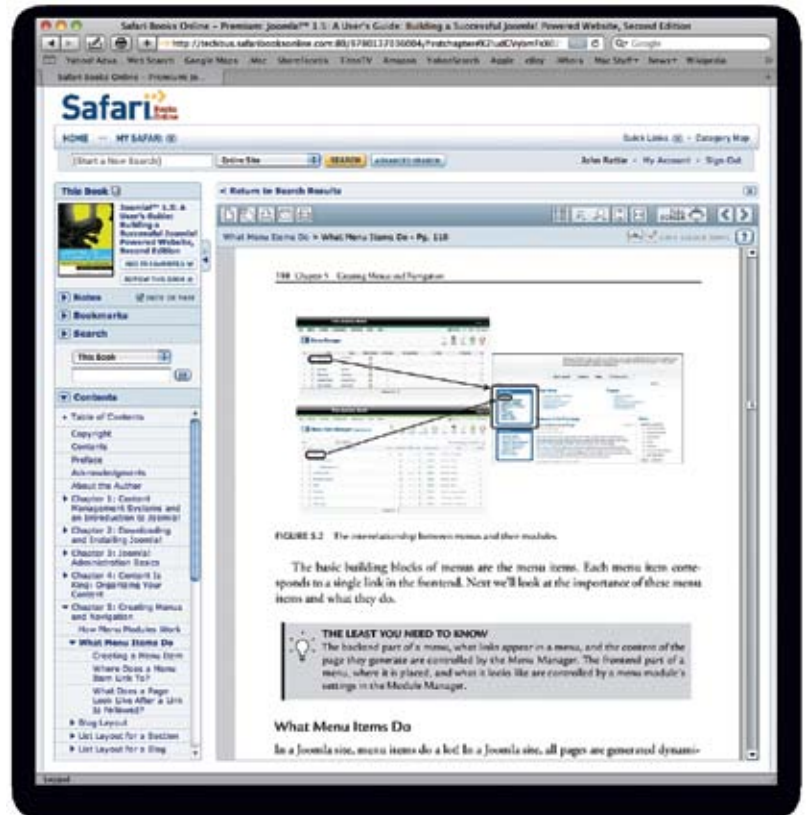
Part of me was saddened by this change, as it previously seemed a vibrant area of publishing. However, as one can find so much information available on the Internet, especially for computer-related topics, it's perhaps no surprise.

While many of us, myself included, enjoy a tangible printed edition of a book, there are practical reasons why digital-only information makes more sense.

Fortunately there is an in-between solution that has been adopted by a large group of competing publishers that can, in effect, solve this problem.

Safari Books Online (absolutely no relation to Apple's Safari Web browser) is a company that was created a few years ago by O'Reilly Media and The Pearson Technology Group, best known for its Peachpit and Adobe Press imprints. As its name suggests the site offers access to books online at www.safaribooksonline.com where subscribers can read and download digital versions of books. Since its inception Safari Books Online has added books from numerous other publishers so that there are now over 9000 books available for reading.

Subscriptions cost from \$22.99 per month or \$252.99



Books published on Safari Books Online are easily read on a computer screen and can even be annotated as needed.



Safari Books Online lets subscribers "collect" books on a shelf for reading online or downloading a chapter at a time.

per year with ability to see previews of all books and read the full content of 10 books per month. Full access to all books in the library costs \$472.89 per year. There are more expensive subscriptions for multiple users in corporations or schools.

Rather than just presenting a PDF or digitized versions of books, the service is much more interactive than one would suspect. It's possible to bookmark pages and even add annotations just as one might in a printed book. Speaking of that, one can download chapters of books as needed using tokens. Subscribers get five tokens each month and additional ones can be purchased for two dollars each. Each token is generally valid for one chapter of a book.

If you are a prolific reader of technical and business books, a subscription to Safari Books Online is probably a good deal. If you only care about reading a few books each year you're probably still better off browsing the shelves of your brick and mortar bookstore.

Currently, Safari Books Online has a free trial offer that will hopefully still be available by the time you read this column. During the slower season over the winter it'll be a good chance to check out books and find what one can learn—be it about Web technologies, photography or business practices. CC

John Rettie is a photojournalist who resides in Santa Barbara, CA. He has been using a computer for 29 years, and has been on the Internet for 14 years. Now he's learning how it all works—learn more and find links to resources on his website www.webinsight.info or contact him at john@johnrettie.com.