



# Digital Books: Ownership and Privacy Rights

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# Outline

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- ❖ Books, a Cornerstone of Intellectual Freedom
  - ❖ Books transform individuals and societies.
  - ❖ Book ownership and privacy rights are necessary for a free-thinking society.
- ❖ Privacy Rights
  - ❖ Implicit rights with paper books
  - ❖ Current privacy violations with ebooks
- ❖ Ownership Rights
  - ❖ Implicit rights with paper books
  - ❖ Ownership violations due to DRM

# Books, a cornerstone of freedom

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- ❖ A cornerstone of intellectual discourse.
- ❖ Books allow us to publicly share and privately read each other's thoughts.
- ❖ Hence books are a cornerstone of our society's freedom.

# Books transform society

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- ❖ Books transform
  - ❖ individuals
  - ❖ society
  - ❖ governments.
- ❖ A medium that volatile always invites censorship and invasion.
- ❖ Since books have this power, and those **in** power like the status quo...

# Necessary for Freedom

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- ❖ Book rights are necessary for a free-thinking society
- ❖ Imagine the long term consequences if:
- ❖ If we could not own books...? If they could be remotely deleted...?
- ❖ If we could not read books privately...?
- ❖ For paper books, we expect ownership and privacy rights.
- ❖ Will digital books provide those same rights?

Privacy

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**BIG BROTHER**



**amazon**<sup>®</sup>

**IS WATCHING  
YOU**

# Privacy

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- ❖ “If there is no privacy of thought — which includes implicitly the right to read what one wants, without the approval, consent or knowledge of others — then there is no privacy, period.” — Matthew Chabon, speaking of Google Books [11]

# Privacy with Paper Books

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- ❖ You may read any portion of a book, as many times as you like, *and no one knows what you've read.*
- ❖ You may browse the books at Powell's or the library, *and no one knows what you've browsed.*
- ❖ You may purchase books, or receive them as gifts, *and no one knows which books you possess.*
- ❖ You may scribble notes in your books, *and no one knows what you've written.*



# Past Privacy Violations

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- ❖ People were investigated if they were known to have read or owned Communist books during the McCarthy Inquisition [15] [12].
- ❖ The FBI sought patron records from libraries over 200 times between 2001 and 2005 [15] [13].

# Privacy with eBooks

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- ❖ Google respects your privacy, right?
- ❖ And the Kindle, it wouldn't report to Amazon every page you read, would it?
- ❖ eBooks lack the privacy of paper books.

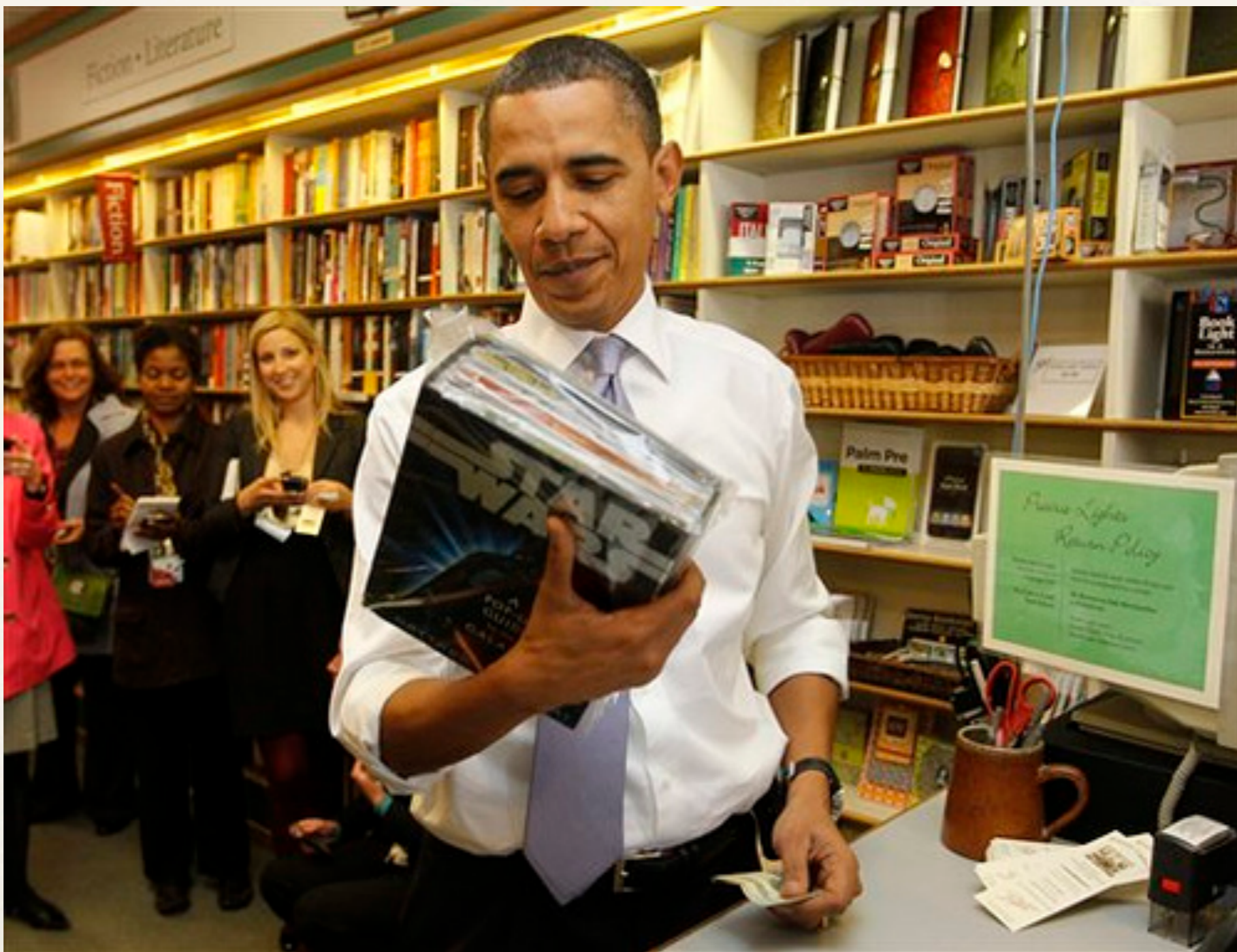
# eBook Privacy Violations

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- ❖ Logging every page you read (Google Books, Kindle).
- ❖ Requiring user authentication to perform textual search in a book (Kindle).
- ❖ Storing margin notes and annotations in the cloud (Kindle).
- ❖ Denying you permission to delete purchase and search history (Kindle, Nook, Sony Reader). [14]

# Book Ownership

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# Ownership of Paper Books

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- ❖ Once you purchase a paper book...
- ❖ You may keep it indefinitely.
- ❖ You may give or sell it to anyone.
- ❖ You may store it anywhere.
- ❖ You may read it anywhere.
- ❖ You may scribble notes in it, and keep those notes indefinitely.
- ❖ Do you have these same rights with eBooks?

# DRM Sucks

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- ❖ The four major ebook vendors—Amazon, B&N, Sony, Apple—sell mostly DRM-locked books.
- ❖ On music and movies, DRM is inconvenient and frustrating.
- ❖ (No one uses the Patriot Act to spy on your music library.)
- ❖ On books, DRM is a serious threat to freedom.
- ❖ (The FBI does use the Patriot Act to spy on library records.)

# DRM $\Rightarrow$ No Ownership

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- ❖ You own a DRM-locked ebook only as long as:
  - ❖ You own a device approved by the DRM provider.
  - ❖ The DRM provider continues to operate.
  - ❖ The DRM provider permits you to own it.
- ❖ You can't transfer ownership of a DRM-locked ebook.

# DRM servers go dark... quickly

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- ❖ You own a DRM-locked item only as long as the DRM provider continues to operate.
- ❖ When a DRM provider discontinues service, you lose ownership of your purchase.
- ❖ In 2009 Walmart, Microsoft, and Yahoo shut down their DRM servers for music [2] [3] [4].
- ❖ On 31 January 2009, Overdrive shut down their DRM servers for ebooks. Ownership of over 300,000 ebooks was lost [5].



# Amazon steals your books

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- ❖ You own a DRM-locked book only as long as the DRM provider permits you to own it.
- ❖ In July 2009, Amazon deleted all copies of *1984* and *Animal Farm* from everyone's Kindle libraries. [6]
- ❖ Did Amazon not recognize the self-damning irony?
- ❖ True book ownership is necessary to prevent systematic book deletion in unstable times.

# Book Ownership?

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- ❖ “The lesson was pretty clear to people who had bought books. If you buy books, prepare for them to be taken from you without compensation... But if you steal ebooks, you can keep them forever. This is not a message you want to send to your customers.” [1, 10:30] — Cory Doctorow, on Amazon’s confiscation of *1984* and *Animal Farm* in July 2009

# Conclusion

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- ❖ Current state of ebook rights:
  - ❖ You don't own ebooks, you rent them.
  - ❖ eBook providers can and do delete your books.
  - ❖ Some eBook providers log everything:
    - ❖ which pages you read and when
    - ❖ text searches in your books
    - ❖ which books you own and have previewed

# Conclusion

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- ❖ This threatens our freedom.
- ❖ See the Electronic Frontier Foundation's "Digital Books and Your Rights: A Checklist for Readers" [15]

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