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Op Ed — Pelikan's Antidisambiguation Books: Ownership, Conveyance, Licensure

by **Michael P. Pelikan** (Penn State) <mpp10@psu.edu>

Yesterday I spent several hours dealing with the unsought consequences of two simultaneous but coincidental occurrences: the licensed content from an eBook reader's store underwent a format change at the same time as I moved to a 64-bit operating system on my personal laptop, requiring that I download and install a new version of that same eBook reader's computer-side software.

This is a narrative about the ownership, conveyance, and licensure of a number of books. Really, it goes to the heart of what's "not quite yet figured out yet" about eBooks, even as eBooks challenge our understanding of publishing, selling, ownership, even of what books are.

Always a consummate planner, when my Dad neared the end of his life he wanted an orderly, humane, yet thorough process to achieve the dismantling and distribution of the physical effects of a lifetime's work as a scholar. Some of these plans had been made years earlier, some we had to work out as we went forward.

The books he used: there were thousands of volumes. A certain number of these lived in his study, a few always within arm's reach, some hundreds more arranged within the room itself — these were his working tools: reference works, and so forth. Then, as you went down the hall, the collection took on thematic organization — political and national histories, biography, geography and atlases, art history, music history, and a vast sea of literature.

Dad was one of those who always read with a pencil in his hand. As he worked through a book, he'd add his own hand-written index to the back of his books. These would be called tags today: a mention of a mountain range, sailing, a particular person, breed of dog, piece of music — you name it. He'd add the term to a list at the end of the book, followed by a page number. When he was finished with the book, he'd always be able to find any particular passage that caught his interest, even many years later.

Anyway — my brother, sister, and I came up with an approach to dealing with the question of how to pass these volumes forward. My brother bought a seemingly endless supply of little colored dots, about a half-inch in diameter. He took blue, I got red, my sister used yellow, and green was for my Mom. Over the ensuing months, dots gradually began to appear on the spines of books. Sometimes a particular volume

would gather several dots. That was fine. Nothing was to leave the house — not yet. When the time came, we'd work it all out. And we did. There was some horse trading — each of us gave books up for the sake of books we wanted more — except for Mom, who built exactly the collection she wanted to take with her when she left the house.

As a result of this process, my own personal collection of books became significantly larger, and very much improved in quality and depth. The point is, however, these books were



conveyed. I acquired physical possession of each as an object. My rights include reading them, selling them (not likely), and, indeed, passing them down to my own kids when the time comes. I certainly won't photocopy any of the works so that both of my sons may each have a copy. They'll have to get some dots of their own and work things out. No problems, no legal complications, no subtleties of licensure.

Now — readers of this column may recall that I've been using a **Sony Reader** (PRS-505) since about the week they became available. I've got a couple of hundred "books" in the thing. Some of these I've bought through the **Sony Reader Library** store, many began as various text formats out of sources like **Project Gutenberg**. Some are pdfs. In-copyright and public domain materials live side-by-side, and in combination — for example, there are documents that began as personally-produced word-processor documents that were rendered through **OpenOffice** into pdfs.

Now **Sony** used to put its licensed eBooks into a format call BBeB. BBeB stands for BroadBand eBook. (I'm not sure how this pronounced, but I **think** you purse your lips, then produce the "B" sound whilst rapidly moving your index finger up and down against your lips...).

BBeB is a format developed jointly by **Sony** and **Canon**. According to **Wikipedia**, BBeB files can have the following extensions: LRS, LRF, or LRX. The LRS format is open: it can be edited following the BBeB Xylog

XML specification. LRF files are unencrypted LRS files prepared for use by the **Reader**. LRX files are encrypted LRS files prepared for use by the **Reader** in accordance with the terms of the DRM. Besides these, the **Sony Reader** can also read files in ePub (about which, more in a moment), TXT, RTF, DOC, DOCX, JPEG, GIF, PNG, BMP, MP3, and AAC without DRM.

With the release of its most recent version of the **Reader** software (now called the **Reader Library** software), **Sony** decided to consolidate the DRM'd material available through the **Sony Reader Library** store into the ePub format. Not a very big problem, except that it meant that when I moved my digital book files onto a new computer, I no longer had access to the licensed BBeB files in my collection on the computer, but instead had to re-download all of them from the **Sony Store** in the licensed ePub version.

Sony explained this in a pop-up containing a scant paragraph of text. The software offered me a forward path, termed "migration:" just click on the "Proceed" button, put a check mark next to each of the items I wished to re-download, then click "Download all checked."

Great — except that there was nothing to indicate what was occurring in the background. After "Proceeding" I still couldn't access my stuff. So, I tried it again — still no luck — I still couldn't open the material on the computer's library. It was, of course, available throughout on the **Reader** itself — just not on the computer.

Well, it turned out the reason I couldn't open the purchased items on the computer was that along with the newly-downloaded ePub version of the files, the old BBeB files were still there in the same folder alongside the new ones. So, the **Reader Library** software threw an error whenever I tried to access the library folder itself. The fix was to relocate the BBeB versions (of the DRM-protected files only) to a separate folder. Unlicensed BBeB files caused no problems: they could remain. Only the licensed BBeB files had to go. And, I had to clean out the duplicates resulting from "Proceeding" multiple times. This was not explained, but I got it all sorted out over the course of a couple of hours.

Now I ask you: what would have happened if my sweet Mother had been confronted with a situation like this? Or,

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what would happen if our freshman students were suddenly unable to access, say, a textbook needed for a test? My guess: the savvy ones would find a way to work around the proprietary nonsense, break the DRM, decrypt the files, and then post the results somewhere. The un-tech-savvy students would do a search for a solution, find the posted files, and download them — after all, they'd think, they'd paid for the textbook to begin with, so why shouldn't they have access to their files?

Issues like this are made much more complicated by the proliferation of **Reader** devices and formats. In the group in which I work at **Penn State**, Emerging Technologies, we try to stay ahead of these things — not just regarding the devices in isolation, but their behavior in a group. Unquestionably, each device will find representation in the population we serve. We need to know how nicely they play, by themselves and with each other.

Each of these readers is tied, to a greater or lesser extent, tightly or loosely, to a particular format, retail front end, and approach to DRM.

These are old questions by now, but I must ask again:

What's going to happen when the textbook publishers either move into this space on purpose, or find themselves drawn in by the howls of their marketers, the demands of their distribution channels, or the usage patterns of their customers?

What's going to happen when these many and various ecosystems come into contact with materials in our university's Course Management System, or our university library's Course Reserves system, or its subscription-based electronic resources?

Honestly — until I can buy you an eBook — not a gift card good for use at an eBook store, but an eBook — until I can give you the eBook — or sell it to a total stranger — or donate it to a book drive to raise money for a charity — or pass it down to my kids — until the Digital Rights Management can handle all of our uses of eBooks in a manner resembling our uses of printed and bound books, maybe even give us some standards-based way to track licensure and provenance, we'll be stuck in the Stone Age with these things. 🐼

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Book Reviews — Monographic Musings

Column Editor: **Debbie Vaughn** (College of Charleston) <vaughnd@cofc.edu>

Column Editor's Note: April 11-17 is **National Library Week**, described by the **American Library Association** as "an annual celebration of the contributions of our nation's libraries and librarians." Libraries and librarians indeed make a number of contributions to schools, colleges and universities, archives, and businesses and

other special populations, as well as to the public at-large. Moreover, librarians play a myriad of roles, from information providers to educators to publicists to supervisors to collection architects.

This issue's **Monographic Musings** column features reviews of a number of new **ALA** titles that address these many functions.

Librarian extraordinaire **Eleanor I. Cook** returns to **MM** and offers her take on two marketing tomes. A hearty welcome to **MM** newcomer **Gretchen Gueguen**, who examines **Joan Giesecke** and **Beth McNeil's Fundamentals of Library Supervision**. **Gretchen**, a 2005 graduate of the College of Information

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