



google books: fair to whom?

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Jay Rosenthal's article, "Google Books: Fair to whom?" was published in the May 11, 2016 issue of *IPPro The Internet*.

From the article...

"In a four-to-four year, one can excuse the US Supreme Court for passing on one of the most controversial and interesting copyright cases on its docket. Which it did recently when it rejected an appeal by the Authors Guild to overturn the Google Books case. The Court of Appeals for the Second Circuit ruled in 2015 that the Google Books search product warranted fair "transformative" use protection. The Supreme Court's refusal to take up the case means the Second Circuit ruling stands. And that's too bad because I would have loved to read Justice Ruth Ginsburg's opinion, and she would have written an opinion, on the lower court's unprecedented expansion of transformative fair use. My guess is that she would conclude the ruling was unjustified."

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