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## Pogue's Posts

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### Should E-Books Be Protected?

Last week, Barnes & Noble's Nook e-book reader took on Amazon's Kindle, joining the Sony Reader and several smaller players. And that arena has only just begun to heat up; in the next few months, a raft of additional models will appear.

One of my readers is alarmed by a precedent being set:

"When the iPod introduced music lovers to the idea of copy protection, a years-long war ensued between consumers and the R.I.A.A. (and others). The primary issue was that if I purchased a song for my music player, it would only play on that player; I didn't really own it, per se. Years later, we finally have digital music without copy protection.

"Enter the Kindle and the Nook and copy-protected books. If I purchased a Kindle a year ago, and I have 30 books for it, and now want a Nook ... you can guess where this is going.

"Where are the upset people? I never see reports on how e-book copy protection is bad for consumers. Didn't we learn anything from the music industry? Does this lock-in bother you? Am I missing something?"

Well, first of all, there **are** a lot of upset people. A minority, yes, but plenty of people are alarmed by the precedent being set.

The issues involved with copy protection haven't changed. They're the same on e-books as they are with everything else. Namely:

- Publishers are terrified of piracy, whether it involves music, movies, software programs or books. Everyone remembers how Napster made music easy to duplicate and freely share. Publishers argue that the music industry was badly hurt, and never really recovered.
- Their first reaction, therefore, was to install nasty copy protection of the type you describe, with limits on which brand of player would play a song and how many gadgets you could copy it to.
- In time, everyone realized the silliness of this exercise. It inconvenienced only the law-abiders; the software pirates had plenty of simple, convenient ways to duplicate the songs anyway. So eventually, the music publishers agreed to let Apple, Amazon and others sell non-protected versions of their songs. (That's a reversal that I still find mind-boggling, although of course I'm thrilled.)

All right. So: should e-books be copy protected?

As an author myself, I, too, am terrified by the thought of piracy. I can't stand seeing my

books, which are the primary source of my income, posted on all these piracy Web sites, available for anyone to download free.

When I wrote about my concerns a year ago, my readers took me to task. “For all you know,” went their counterargument, “the illegal copies are just advertising for you; people will download them, try them out, then go buy the physical book. Either that, or they’re being downloaded by people who would not have bought your book anyway. Why don’t you try a controlled experiment and see?”

Well, it sounded like it could be a very costly experiment. But I agreed. My publisher, O’Reilly, decided to try an experiment, offering one of my Windows books for sale as an unprotected pdf file. After a year, we could compare the results with the previous year’s sales.

The results? It was true. The thing was pirated to the skies. It’s all over the Web now, ridiculously easy to download without paying.

The crazy thing was, sales of the book did not fall. In fact, sales rose slightly during that year.

That’s not a perfect, all-variables-equal experiment, of course; any number of factors could explain the results. But for sure, it wasn’t the disaster I’d feared.

Does this mean that book publishers should quit copy protecting their books?

Not necessarily. My experiment was intended to track the effect of free electronic copies on the sales of *printed* books. The idea was, once you’ve tasted the honey of a Pogue book on your screen, you’ll want to rush out to buy the paper edition.

But if you own an e-book reader, you’ve already got the book in the desired format! You wouldn’t go out and pay for the paper edition; avoiding paper is the whole reason you bought a Kindle in the first place.

At the moment, the e-book companies are trying to make the copy-protection thing work, to make it as convenient as possible. They’re making your e-books “playable” on Mac, PC, iPhone, iPod Touch and multiple e-book readers in your household, for example.

But none of that addresses my reader’s initial complaint: What if, someday, you want to jump ship from Amazon’s reader family to Barnes & Noble’s? This is precisely the nightmare scenario that faced iPod owners who wanted to switch to a Zune. (O.K., there’s no such person, but you get the point.)

In other words, I’m torn right down the middle. On one hand, yes, copy protection hurts consumers.

On the other hand, yes, unprotected books at this stage would be easily and wildly pirated

— the barriers to staying ethical would be so low, people would pass around books like they forward e-mail jokes — and it would cost the book industry dearly.

On the other other hand, music files are no longer copy protected, and the music companies haven't gone out of business.

Maybe, then, the publishers should try an experiment like mine. Maybe they should release a couple of Kindle or Nook books without copy protection and track the results. Maybe that way, we could bring this discussion out of the hypothetical and into the real world.