

From: [Bobi](#) [kresshou[REDACTED]]
To: [Read, John](#) [John.Read@ATR.USDOJ.gov]
Subject: Re: United States v. Apple
Date: Wednesday, June 06, 2012 12:22:40 AM

Dear Mr. Read,

I'm a published author in several medias including books. I'm also a librarian at a large elementary school. I'm passionate about books and about real book stores. The kind you can walk into and actually pick up books to read through them a bit before deciding if one "speaks" to you or not.

And that's why I'm concerned about "United States v. Apple, Inc., et al., 12-cv-2826 (DLC) (SDNY). Comments on Proposed Final Judgment as to Defendants Hachette, HarperCollins and Simon & Schuster." I believe the proposed settlement goes **against** the public interest, because it works against brick-and-mortar bookstores but helps Amazon, which has become an online monopolist!

Bookstores are vital to the success of new or lesser-known authors and for some whole categories such as children's picture books. Marketing studies consistently prove that readers are far more likely to try books by new authors in a bookstore where they can handle the book. I see this often during book fairs at our school library. Book stores depend on the sales of "front list" books--new, hard cover books--to stay in business.

Amazon started selling those same front list books and selling the books in deeply discounted e-book versions at the same time. Of course consumers rushed to buy the cheaper e-book version. Amazon didn't mind losing money on those sales because they had their eye on a bigger prize--eliminating real book stores. They literally ran Borders Books out of business and now they're taking aim at B & N. And once the last of the big book stores is gone, Amazon can--and will--control the market.

Enter Apple's agency pricing. Basically, agency pricing prevents an e-book vendor from changing the retail price of the book. This may look bad on the surface, but what it does is prevent a huge corporation like Amazon from cutting the legs off its competition. In reality, agency pricing brought real competition back to book selling. Apple's agency pricing is what let Barnes & Noble earn enough to make substantial investments in e-readers with the reasonable hope of earning a return on those investments.

As a result, consumers have far more e-readers to choose from and more competitive pricing on those e-readers. AND they'll still have real book stores where they can "meet" new authors they would otherwise never know.

I strongly urge you to reject the currently proposed settlement. Please don't force publishers to give Amazon the power to lower the price of ebooks. It may look good in the short run, but over the long term it will have disastrous consequences for the public. When there are no more real book stores, Amazon will turn its sites on its e-book competition and soon Amazon will be the only choice left. IF that day comes, the justice department will have been an accomplice in creating a monopoly.

I can't see how that benefits the public interest.

Sincerely,
Bobi Martin
Bobi Martin, M.F.A.