

From: Emma Aprile [mailto:etapri [REDACTED]]
Sent: Sunday, June 24, 2012 9:37 PM
To: Read, John [John.Read@ATR.USDOJ.gov]
Cc: d[REDACTED]
Subject: Please support "agency pricing" model for electronic books

Dear Mr. Read,

I am writing to express my strong support for the "agency model" pricing structure for the sale of electronic books. The agency model has not only increased my bookstore's ability to compete in the marketplace, but it has resulted in overall lower pricing, more choice, and a more level playing field in the book industry, something that has been missing for a long time.

As an employee of my local independent bookseller, as a freelance proofreader for my local publishing house, & as a long-time consumer of books & print material in many forms (magazines, online, ebooks, actual books), I would like to express my support of the agency model & my fervent hope that you will hold Amazon to the same standards of fair play & marketplace competition that other businesses--brick-and-mortar bookstores, publishers, newsagents, & beyond--adhere to.

When we express our faith in & admiration of the capitalist system that our country's economy depends on, we do so in full knowledge that one of the key jobs of government is to prevent any one company from forming a monopoly that then prevents any other company from competing against it, especially a monopoly that would limit availability of a specific product. Agency=model pricing of ebooks, like agency-model pricing of printed-on-paper books, prevents any one company from bullying others out of the marketplace.

When you consider Amazon's claim that it has been victimized by agency pricing of its ebooks, please also consider the following facts:

- Before the adoption of agency pricing Amazon had a 90% share of e-book sales
- Amazon sold most e-books below cost
- Amazon sold books for less than independent bookstores could buy them for
- Since the agency model, Amazon's market share has reportedly dropped to 60% and hundreds of new sellers have entered the marketplace
- Because of its considerable size and market share across book and non-book products, Amazon can afford to take a loss on every e-book it sells until it has driven every competitor out of the market.

I do not want to live in a world where Jeff Bezos, Amazon's shareholders, or Amazon's profit's needs are dictating the price and availability of the books I have access to. I do not want to live in a world where books are available solely as loss-leaders, a world

where we have decided that fast & cheap is so important that we no longer value editors, writers, or printers--e-printers or ink-printers-- & the contributions they make to the world of literacy in all its myriad forms.

If Amazon wants to price its Kindles or its books as loss-leaders, that's their business. Amazon has a history of bullying publishers & of predatory pricing tactics, often using those loss-leader choices to take specific aim at brick-and-mortar competition. I don't think the rest of us--independent bookstores, any-sized publishing houses, writers, or consumers--should have to pay for Amazon's reckless business practices in pursuit of profit. Please do not allow Amazon to build its company at the expense of a truly capitalist marketplace that is open to free, fair, & healthy competition.

Please consider the long-term effects of your pursuit of this case. If you prevent publishers from using the agency structure for ebooks, you will limit the marketplace for ebooks, & you will strike a blow against small businesses across the board. Please don't help Amazon build a monopoly in the publishing world. Please strike a blow for capitalist competition & allow publishers to continue to extend the agency pricing model that they use for print books to ebooks as well.

Thank you,
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