

From: Katherine Bygrave Howe [mailto:katherineho[REDACTED]]
Sent: Monday, June 25, 2012 2:03 PM
To: Read, John
Subject: Re: author commenting on the challenge to the agency model of e-book pricing

My apologies. This comment is in reference to U.S. vs. Apple, Inc., et al., 12-cv-2826 (DLC) (SDNY

On Mon, Jun 25, 2012 at 2:00 PM, Katherine Bygrave Howe
<[katherineho\[REDACTED\]](mailto:katherineho[REDACTED])> wrote:

Dear Mr. Read,

I've been flooded with boilerplate language from my agency (William Morris Endeavor), the Author's Guild, and numerous other authors to send to you as my comment about the Department of Justice investigation into collusion around e-book pricing. But instead of using boilerplate, I'm just going to write to you. I'm a writer, after all. That's my job.

Let's leave aside the fact that e-books will soon kill the hardcover book deader than Lonesome George. That's a format question that probably doesn't interest you. You are concerned, as I understand it, with ensuring fair competition.

Amazon, as you know, when e-books first emerged in the marketplace bought e-books from publishers and then sold them at a substantial loss. They did this to drive sales of the Kindle e-reader, so that they could not just dominate, but singlehandedly control the distribution of e-books. Full stop. That's what they want. And they were successful with this anti-competitive practice. The Kindle is the dominant e-reader. And e-books, just this past month, have outpaced print book sales in our country. Now leaving aside romantic language about bookstores and community and blah blah blah (though I happen to believe that emotional blah blah blah), I'm sure I'm not the first person to point out that Amazon, having cornered the e-book market, is now branching into publishing. They want to control not just the reader platform, not just the pricing, but also the content. Amazon is seeking to vertically integrate book production and consumption in the exact same way that the Big Three movie studios used to control film, and which was found to be monopolistic, anticompetitive, and ultimately bad for culture and free speech.

The agency model of e-book pricing was a fair move that allowed other e-book platforms, such as the Nook and Ipad, a tiny chink of possibility to give Amazon some competition. If your goal with this investigation is to ensure competition in the world of book marketing and sales, then you are on the wrong side.

As it happens, I'm married to an economic historian at Cornell who is also a published author, and as you can imagine the function and machination of capitalism is a running

topic in our household. I know Amazon's responsibility is to deliver profit. I know it's going to win.

But as a person who makes her living - at least for now - in the generation of unique and innovative cultural products, I would like to urge you to look more closely at this question. Our culture requires more than one all-powerful avenue for the delivery of ideas. At least, if it's going to remain our culture.

Yours sincerely,

Katherine Howe

New York Times bestselling author of *The Physick Book of Deliverance Dane* (Hyperion, 2009) and *The House of Velvet and Glass* (Hyperion, 2012)

Visiting Lecturer, American Studies, Cornell University, 2012-2013

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www.katherinehowe.com

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