

Joy Vogelgesang
Kona Stories
78-6831 Alii Drive Suite #142
Kailua-Kona HI 96739
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LITIGATION III, ANTITRUST DIV.
U.S. DEPT. OF JUSTICE

John Read
Chief Litigation III Section
Antitrust Division
US Department of Justice
450 5th Street, NW, Suite 4000
Washington, DC 20530

Dear Mr. Read:

I am writing to you as the owner of a small independent bookstore. Brick and mortar stores like mine struggle every day to maintain a community based store where people can come together and discover and share a love of books and reading. This is not an easy thing to do, but I believe it is important.

I strongly argue that the agency model must be preserved to help maintain diversity and competition in my industry. I could not believe more strongly that the agency model has been good for our channel, good for all bricks-and-mortar bookstores, good for publishing, and, most importantly, good for readers and book buyers. Since its introduction, the agency model has corrected a distortion in the market fostered by below-cost pricing, predominantly led by Amazon.com, the ultimate result of which is to reduce or to eliminate competition among both retailers and publishers.

Since the introduction of the agency model many more independent booksellers are selling e-books, and those sales have shown steady growth. The agency model has lowered prices to independent bookstore customers, and independent bookstores themselves have seen significantly increased price competition among publishers in regard to promotions, discounts, and special offers, all of which have allowed bricks-and-mortar bookstores to offer customers a wider array of titles at a greater value.

In short, since the introduction of the agency model, the e-book market for consumers has become far more competitive — not less so!

Deeply discounted books were among the key components in the fuel stoking Amazon's engines of growth. It's frankly somewhat stunning that DOJ would accept the possible upending of an industry as important to the cultural and intellectual life of our nation as bookselling and publishing so that one retailer could pursue a policy that attempts to monopolize the entire e-book market.

Before the introduction of the agency model, Amazon had a 90 percent market share in e-books, which they were selling below cost, a price far lower than indie booksellers could purchase e-books from publishers. Today Barnes & Noble, Google, Apple, Kobo, along with indies and others have joined the market, which has become far more competitive and diverse.

If the agency model goes away for a significant period of time, there is every reason to believe that Amazon will again price below cost and increase its e-book market share. We believe this can only be bad news for the reading public, resulting in a cultural landscape offering a far less diverse range of titles being published and a much-diminished range of publishers.

Thank you for your support.

Sincerely,



Joy Vogelgesang
Owner
Kona Stories
808-324-0350
www.konastories.com
ks@konastories.com