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Subject: United States v. Apple, Inc. et al., No. 12-CV-2826(DLC) (S.D.N.Y.)
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United States v. Apple, Inc. et al., No. 12-CV-2826(DLC) (S.D.N.Y.) – Comments on Proposed Final Judgment as to Defendants Hachette, HarperCollins, and Simon & Schuster

Dear Mr. Read and Mr. Fairchild,

I am writing to urge you to preserve the agency model in your final judgment against Hachette, HarperCollins, and Simon & Schuster.

As the Associate Publisher of a small independent book publisher, I would like to (1) establish the price of my own products and (2) sell my products in a large, diverse, and competitive marketplace.

Since the introduction of the agency model, I have watched the ebook marketplace grow and flourish, with new retailers coming aboard every month — and ebook sales have skyrocketed. I fear that eliminating the agency model (and/or forbidding any major publishers to use it) will cause the ebook marketplace to contract.

Amazon's actions suggest that — without the agency model in place — they intend to sell ebooks as a loss leader until all of their competition has been eliminated. Clearly they have the resources to do this — but this strikes me as bad for publishers, bad for writers, and bad for readers. I realize this will sound cliched, but I believe that America deserves better.

I appreciate your time and consideration. Thank you.

Sincerely,
Jason Rekulak

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