Amazon Kindle Copyright with “1986” and “Animal Farm”

**Introduction:**

July 17, 2009 without any warning Amazon deleted George Orwell’s “1984” and “Animal Farm” off customers’ Kindles. Ironically, “1984” is about how the government takes the books that embarrasses them and removes them permanently. In the book, their method is not like erasing data online, but through an incineration chute called, “the memory hole.” The controversy is primary over privacy and copyright laws in the 21st century with the consumer. Who really has control over the products customers buy?

**Summary:**

Amazon deleted George Orwell’s books and gave customers a refund, because one of their booksellers, MobileReference, did not own the copyright. In the rights and agreement for the Kindle books, Amazon states that, after you purchase the book, you do not rightfully own it. Instead, the customer is buying a “limited license to read that book in digital form.” (Seringhaus) The deletion of the books sent a public outcry in the online world, by complaining in forums and websites. Not only were some of George Orwell’s books deleted, but Harry Potter and novels by Ayn Rand shortly after. (Stone) The CEO of Amazon, Jeff Bezos, apologized on a company forum: “The solution to the problem was stupid, Thoughtless, and painfully out of line with our principles.” (Stone) The Free Software Foundation petitioned for Amazon to give up controlling the Kindle and to quit using the software digital rights management, D.R.M. The software allows Amazon to have control over how many copies of e-books can be on the reader and prevent other companies from recreating the same program. It also gives companies the right to go into the devices with or without notification at any time. Holmes Wilson, a campaign manager for the Free Software Foundation, said, “As long as Amazon maintains control of the device it will have this ability to remove books and that means will be tempted to use it or they will be force to it.” (Stone) Customers agree and disagree with Amazons use of D.R.M. “Randal Picker a law professor at the University of Chicago says, he thinks Amazon was right to delete the improperly sold versions of “1984” and argues such system can allow companies to better enforce copyright laws.” (Stone) In contrast with Jonathan Zitternain, a professor at Harvard Law, is scared the government will start to control the books and remove subjects or lines as they see unsuitable. Even though the privacy of consumers was violated, the copyright laws grew stronger. Customers were mad, but Amazon played fair by giving a refund and following the law.

**Application of P.R. Principles:**

From The Practice of Public Relations, the basic copyright law of 1976 protects writers work when it is in the “fixed” form, which means “that the work is sufficiently permanent to permit it to be perceived reproduced or otherwise communicated.” (Seitel) Types of fixed works are literary, musical, motion and sound. When you buy a book for the Kindle, you have purchased the book, not the copyright property. The copyright property means, that you cannot redistribute or reproduce the information, unless you have the authority to. If the Kindle books have not been properly copyrighted, then the consumers or the company who bought the books are considered to be infringing copyright protection of property. This just means, if it is not copyrighted correctly, then the term used is called pirating. An example would be downloading music onto your MP3 player without purchasing the music. Amazon was correct when removing the books from Kindle so that their customers and their company would not have a copyright lawsuit against them. The D.R.M. software cut into consumer’s privacy, because it went into their devices and erased their data without knowledge. For the 21st century laws have not been set into place, because it is new territory. The only privacy laws established are to help underage technology users. Hopefully in the future, there will be an equal balance of the laws and privacy with the online world.

**Resolution:**

After deleting the books off of customer’s Kindles, the CEO of Amazon Jeff Bezos apologized in a forum to the Kindle users for being thoughtless in its action to removing the books and refunded customers their money. Afterward, spokesman for Amazon Drew Herdener said, “We are changing our systems so that in the future we will not remove books from customer’s devices in these circumstances.” (Stone) When Amazon removed the books, they automatically refunded the customers money back. In the end, Amazon apologized for their wrong actions to their customers and started looking for new ways to act in certain situations.

**Suggestions:**

My suggestion to Amazon is to think about their customers, in any situation that occurs. Without the customers, they would not be where they are today. Before deleting the books, they should have sent out letters and a mass e-mail personally addressed to the customers, explaining that the books will be deleted in a few weeks, because they do not have the copyright. Before deleting the books, giving the customer a few weeks lets them buy another copy or collect their notes on the book. Mailing out letters or e-mails would have let their customers know that they are concerned for their readers. The next step would be, fire the company that failed to get a proper copyright or start monitoring every book the company puts out. Amazon did not completely mess up. The Amazon CEO apologized immediately after customers complained in forums. This helped Amazon’s reputation by being concerned with their complaints and working quickly to fix them. Even though, they should have apologized on air with the news or another broadcaster. If they would have used multiple ways to reach their audience, a wider variety of Kindle users would have received the message. Not all Kindle users’ blog or watch the news. More customers are concerned with privacy issues so the spokesman Drew Herdener should have stated how the software works and how they are expecting it to change. He only stated that they were changing the system but did not inform the public or their customers on how they were changing it. If he did not know how the company was going to change the software, then he should have mentioned they were working on it instead of changing it. He made it sound like they had a plan but weren’t telling the public what that plan was. If Amazon would have used better public relations methods they wouldn’t have lost as many customers.

**Conclusion:**

As technology evolves so does the law. In the case of Amazon and their copyright they learned to listen to their customers first, before taking action. Make sure the customers understand what the company is associated with and what they are doing to fix any problems that occur. As for the laws, they will slowly in time catch up with the 21st century. In some ways Amazon was right to delete the books that did not have a copyright, but in another it was wrong not to notify that the software they use can go into your personal reader and delete it. Not everyone’s opinions will be the same, just like Professor Zitternain and Professor Picker. There are always two sides to a story. Just because we do not have set laws for privacy in the online world, we can still hope that in the future there will be a balance that makes both sides happy.