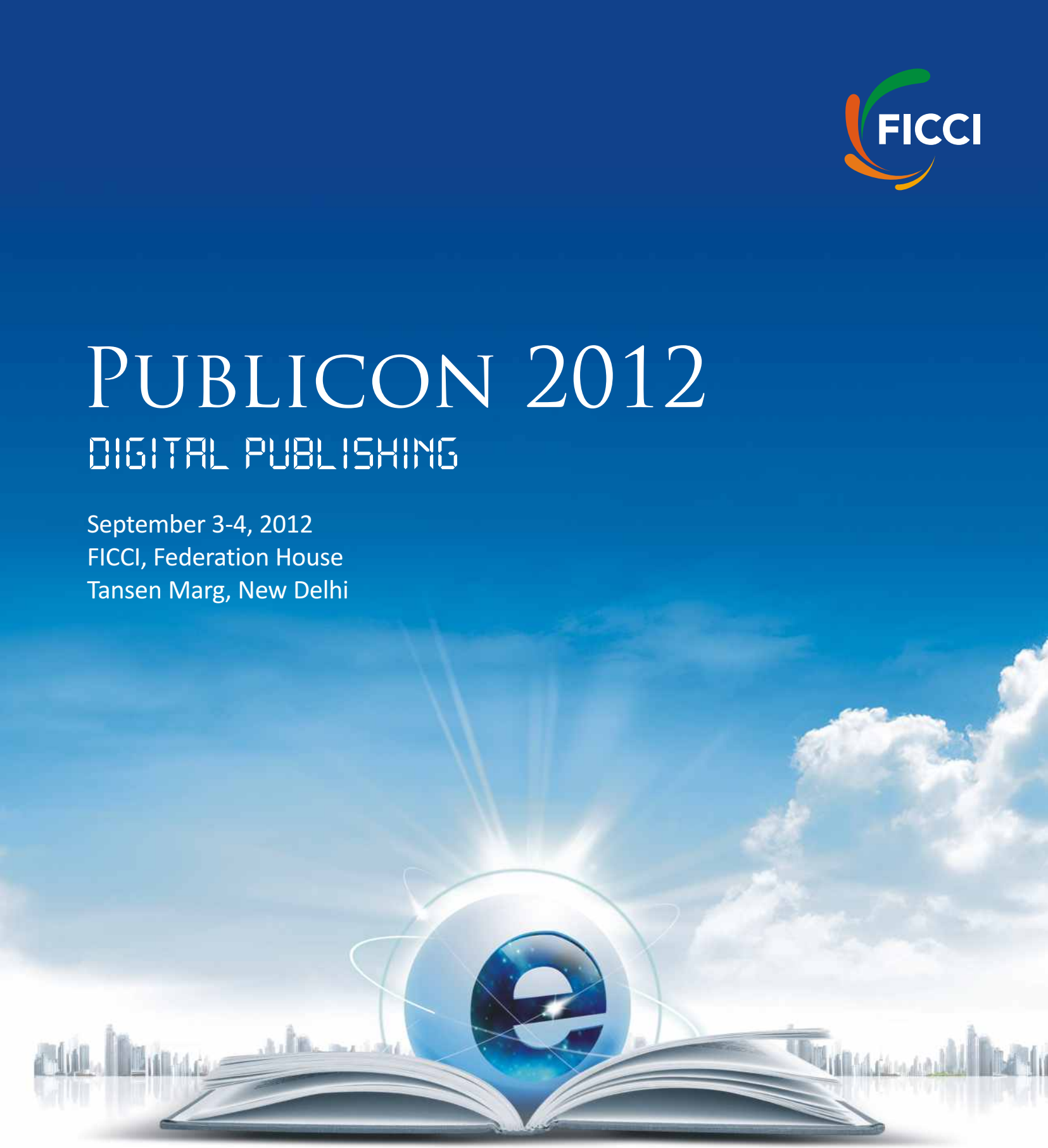
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Selected Papers

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Introduction

Introduction



The second edition of FICCI's PubliCon focuses on a relatively new and increasingly important area in publishing – the digital world. Traditionally associated with printed books, publishing is poised to enter the world of e-publishing, not only via e-books but also with tablets and smartphones emerging as new platforms for reading. The potential of this development is enormous – it promises the democratization of books and knowledge, it offers the possibility of combining words with sound and visuals, and it offers a world of reading that is both different from what has so far existed, and which is rich with possibility. As well, there is the possibility of adding a new income stream by monetizing content. Digital publishing is now at the heart of almost all publishing activities the world over.

In India, the picture is uneven. Some publishers have made considerable progress in the world of digital publishing, while for others, many questions remain unanswered, many confusions reign, and the first tentative steps are yet to be taken. In this year's PubliCon, FICCI and its recently set up publishing cell, have focused on some key questions for publishers in India. These include:

- How important are new technologies to publishing and especially in the Indian context?
- What is the market for digital publishing in India?
- To what extent is this market expected to grow?
- What are the different mediums available to publishers today?
- What are the copyright issues that publishers need to be aware of in the world of e-publishing?
- How can suitable content be created for e-publishing?
- What are the platforms, who are the providers, what sort of revenue streams can be expected, and what are the costs?

We welcome you to PubliCon 2012 where we hope you will begin to find the answers to some of these – and other – questions. Speakers and keynote addresses will offer cutting-edge experiences on e-publishing in different platforms, content creation, creative business models, and the future course of publishing in India. Delegates will be able to connect with speakers during networking sessions, and will get a chance to engage with industry experts on different areas of digital publishing.



Digital Rights Management: Which Way is India Headed?

Digital Rights Management: Which Way is India Headed?*



Shweta Vachani

Ebooks in India Today

Ebooks is the new buzz-word in publishing in India. Most publishers – big and small – have begun the process of converting their printed books into formats that can be used by online retail stores that are going to be housing the content and selling it. The entry of big online retailers like Flipkart and Amazon, and the popularity of ebooks in the Western markets have provided the impetus to Indian publishers to venture into an arena they have been reluctant to get into until recently, and publishers now promise that most of their content will be available as ebooks within the next six months. The need to enter the market of ebooks is not based on any real assessment of the market, but is more a desire to keep pace with a major development that's happening all around the world.

At this point in time, the market for ebooks is not very big. But that it is the future of Indian publishing is something everyone is convinced about, even though printed books are here to stay, at least in the foreseeable future. In 2004, the Federation of Indian Publishers estimated the total number of books published in India at 82,537, out of which only 23 per cent were in English, and the rest in other Indian languages. In terms of per capita book title output, in the whole of India there were 8 titles per 100,000 population and in English 23 titles per 100,000 English speakers.[1] These figures are pretty dismal, but there is a lot of scope for growth, especially because internet penetration is only at 10 per cent.[2] So printed books will remain the key medium of content distribution.

It is believed that ebooks will make life easier for publishers. Eventually, paper and printing costs will drastically go down because there will be less demand for printed copies. Speculating on how many copies to print will no longer be a topic for discussion as print-on-demand increasingly

**Disclaimer: This report mainly focuses on English language publishing in India*

[1] *http://prayatna.typepad.com/publishing/2007/10/book-title-outp.html*
[2] *http://www.internetworldstats.com/stats3.htm#asia*



becomes the norm. Processes like stock keeping and warehousing will change since there will be no need to store books. This will also lead to reduction in overall costs including costs of maintaining distribution channels for physical books, as well as sales and marketing costs because these will not be undertaken in the same way for ebooks.

One of the other draws of ebook publishing is that publishers hope to be able to reach those consumers that they couldn't earlier. Thomas Abraham, Managing Director of Hachette-India says, “The books that go into Crossword and Landmark bookstores are still subject to somebody coming in and seeing them, whatever marketing you might do. But if this becomes a norm, some reader in a small town like Meerut who has no access to a bookshop can still look [a book] up.” This will also happen at a much faster rate as the time taken to produce an ebook is relatively less than a physical book.

The current publishing model in India is not without it problems due to high-street retailing and increased discounts demanded by distributors and retailers, and so publishers feel they have little choice but to explore the ebooks market as well. However, no one is expecting that all this will happen miraculously in a day, a month or even a year. Publishers believe that it will take at least five to ten years before anything becomes clear. “What is completely indisputable is that there's no chance that this'll be anything but the way forward,” says Abraham.

While Indian publishers have felt the pressure to enter the ebooks market for some time now, they have been dragging their feet over it. As with everything related to the Indian demographics, this too has been for varied reasons. One major problem has been the lack of a substantial readership base. English-language publishing in India is a niche market and there's a perception that people above a certain age will not give up their printed copies and bother to learn a new technology. Even among the younger generation, who it is assumed would be more receptive to a new technology, there are die-hard book fans for whom holding a book in their hands is a charm and who may not be easily persuaded to make the shift to ebooks. Moreover, there is hardly any technical support for other Indian languages, which drastically cuts down on the readership. It is hard to offer content for different languages on a lot of devices and most Indian publishers have historically not looked at the internet as a medium to deliver content. There is also no adequate internet connectivity and penetration. To find and download ebooks, one needs a good broadband connection, which is still a dream in many parts of India that don't even have a telephone line. Some publishers, like Pratham Books, a not-for-profit publisher, will continue to be driven by print books because of this reality. Because, as Gautam John, New Projects Manager, Pratham Books, says, “that's the way to get a book to the last child of India. Our focus is to provide content for children who have no content.”



Dearth of online bookstores is also cited as a reason for the slow growth. Before Flipkart and Amazon decided to enter the market, there were no big players. Amazon too was waiting for foreign direct investment (FDI) approval to make an entry in India. (Though India encourages foreign investments, foreign companies have to seek permission from the government of India to enter the market.) Cost is an issue on many levels. From the consumer's perspective, ereaders are expensive – a Kindle costs upwards from US$ 79 and India's Pi reader costs upwards from Rs 9,999. A book buyer will not want to buy a device to buy a book, especially if a printed copy is available at the same price (in the Kindle Store, a paperback copy of Hunger Games by Suzanne Collins is priced at US$ 5.39 and a Kindle ebook at US$ 5). For the publisher, there are huge costs involved in investing in the new technology – for instance, converting text into electronic format, digitally housing and maintaining content, employing people with the appropriate technical experience, and marketing costs in the digital space. Plus royalties for ebooks are considerably higher: where for printed books it is between 5 and 10 per cent, for ebooks it is at 20 per cent.

India has always been very receptive to new technological developments and very fast to adapt and develop it for the Indian market. It is interesting that while debates have been going on around ebooks and even before ebooks became available, India had already developed ereaders for them. Pi by Infibeam and Wink by E.C. Media were both launched in 2010 providing support for not just English but also a few Indian languages. But neither managed to gain much popularity, perhaps due to the inability to convince publishers to part with the content, pricing of the ereaders, and lack of a brand awareness.

One would assume that copyright infringement, commonly also known as “piracy”, would also be a concern with publishers. Many studies and newspaper reports on epublishing in India make a mention of it.[3] But this is something that publishers whom I spoke to didn't seem too worried about. They are banking on digital rights management to take care of this problem to a large extent.

Ironically, publishers also believe that piracy is not something that can be stopped, and anyone with the intention of ripping off an ebook will do so anyway, DRMs or no DRMs. So then, the question that begs answering is: what are the DRMs actually for? As a head of a top publishing house in India put it, “DRMs are there to keep the honest users honest.” That is, the average book buyer who legally purchases legitimate copies of ebooks from legitimate online bookstores.

In this paper I will focus on digital rights management (DRM) as a technology whose full implications are not known and need to be studied in depth before Indian publishers decide how to negotiate them. I will be talking about what DRM is, how it works, and the concerns surrounding it

[3] *http://www.india-reports.com/articles/Overview_of_eBooks_Market_in_India.aspx*
http://www.deccanherald.com/content/55858/slowly-surely-e-books-take.html



in terms of how they affect book buyers, publishers and online bookstores. I will do this with the help of interviews conducted with heads of publishing houses and online bookstores, authors and ebook buyers, and secondary sources that are listed at the end of this paper.

What is Digital Rights Management?

Digital rights management (DRM) refers to protecting ownership/copyright of electronic content by restricting what actions an authorized recipient may take in regard to that content. DRM gives digital-content publishers the ability to securely distribute high-value content such as periodicals, books, photographs, educational material, video, and research and to control the use of that content, preventing unauthorized distribution.[4]

DRMs are used mainly in music, videos, computers, mobile phones, games and ebooks. In terms of ebooks, this means that readers have certain restrictions on the way they can use the ebook that they have bought:

1. They cannot copy/paste content from the ebook.
2. They cannot make a copy.
3. They cannot print it.
4. They cannot lend it.
5. They cannot move it from one device (ereader, tablet, mobile phone, PC) to another (for example, from a Kindle to a Nook), or can only move it to a specified number of devices.
6. They can download the ebook only a certain number of times.
7. They cannot use the text to speech software to have it read aloud.
8. They cannot buy ebooks in or of a particular territory.

Each publisher and online bookstore has its own set of DRMs, which may enforce all or some of these aforementioned restrictions. Although DRMs come in many different forms, they usually have four common stages:

1. **Packaging:** When DRM encryption keys are built right into the software, that is, the ebook file.
2. **Distribution:** When DRM-encrypted files are delivered to the buyers. This is usually through web server downloads, CDs/DVDs, or via files emailed to the buyers. In the case of ebooks, currently only web server downloads are available.

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[4] *http://www.india-reports.com/articles/Overview_of_eBooks_Market_in_India.aspx*
http://www.deccanherald.com/content/55858/slowly-surely-e-books-take.html



3. **Licence serving:** When specialised servers authenticate legitimate buyers through the internet, and allow them to access the DRM files. They can even lock the files when illegitimate users try to open or copy them.

4. **Licence acquisition:** When legitimate buyers acquire their encryption keys so they can unlock their files.

As mentioned earlier, content providers believe that DRMs are the only way to prevent copyright infringement and thus protect revenue generation. “Without DRM, many publishers wouldn't even think of making [printed books] available as ebooks,” says P.M. Sukumar, CEO, HarperCollins-India. It is believed that with DRMs, it will not be easy to disperse content to the world at large without retailers and publishers knowing about it. Abraham says: “Digital policing is relatively easier actually … And the average reader is not out to break DRM, so it's not so much a question of piracy or copyright infringement unless somebody's deliberately out to break DRM and put a book up for free.”

How Do DRMs Work?

This is what Adobe, manufacturers of Content Server DRM software, say:

Effective DRM technologies work by allowing distributors of electronic content to control viewing access to the content – whether printed matter, music, or images – with some form of customized encryption. Individual “keys” for viewing or listening to the content are provided to an end user who has purchased rights, which generally include limitations on copying, printing, and redistribution.

When a prospective owner of digital rights downloads a content file, DRM software checks the user's identity, contacts a financial clearinghouse to arrange payment, decrypts the file, and assigns a key – such as a password – for future access. The publisher of the content can configure access in numerous ways. For example, a document might be viewable but not printable, or may only be used for a limited time.

On the back end, things get even more complex. Once access rights and mechanisms have been assigned to a user, distributors must ensure that everyone in the creation, production, and distribution process gets paid fairly for use of the content. End-to-end software solutions, such as the MetaTrust Utility from InterTrust, track payments all the way from the online credit-card transaction to the royalty checks being deposited in the author or artist's account.



Most DRM experts agree that the best rights systems combine software and hardware access mechanisms. By tying access rights directly to computer CPUs, hard drives, or other storage media, publishers can control not only who is reading the information but also on what device. This level of protection is important for highly sensitive documents such legal documents or proprietary market research, where illegal copying and sharing could result in substantial damages.[5]

There are many types of DRM systems but the three major ones that are currently being used are: Amazon, which uses an adaptation of the Mobipocket encryption; Apple's DRM, which is called FairPlay; and and then there is the Adobe Content Server. Amazon and Apple use their own DRM systems, and most other retailers and distributors use Adobe's. In India, both E.C. Media and Infibeam, who developed their own ereaders, Wink and Pi respectively, also use Adobe's DRM. Flipkart, who will be launching its ebooks portal soon, will also need to have a DRM software in place. Whether they use Adobe's or develop their own proprietary DRM remains to be seen.

There are other options to DRM that are sometimes known as social DRM, which involves watermarking each ebook at the time it is bought with the identity of the buyer. These ebooks can be used across any platform, but if they are uploaded to a file-sharing website, one should be able to identify the purchaser. The idea behind this is not to restrict the use of content but to shame the customer who puts it to illegal use.

The History of DRMs

There is agreement all around that a creator of a work should get credit for it. Some creators may desire monetary compensation too. And hence, there is the need to “protect copy”, which translates into digital rights management for content available on the internet. But where did DRM come from?

The idea of DRM is not a new one. It has a fairly long and chequered history, but there have been some key landmarks in the copy-protection timeline that have gone a long way in shaping the debate on DRM today.

Many of the floppy disks that we used once upon a time, for instance, were copy protected. Even when music and video CDs and DVDs came into the market, there was a limit on how many copies one could make, and CDs came with bits of information to confuse music ripping software.

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[5] *Ibid.*

Film studios were some of the first large companies to adopt DRM. When the DVD format was launched, it included an encryption called Content Scrambling System that prevented users from making digital copies of films. CSS DRM, however, was very soon broken by DeCSS, a tool developed for that purpose. Recording labels also adopted DRM to prevent copying.

In 1998, in the US, an amendment to the Digital Millennium Copyright Act criminalised the production and distribution of technology – like DeCSS – that would allow consumers to thwart technical copy-restriction methods. Essentially, it became a crime to circumvent anti-piracy measures, and to manufacture, sell or distribute code-cracking devices used to illegally copy software.

But things really came to a head in 1999, when Napster, a peer-to-peer file sharing internet service, made its debut. People were suddenly able to duplicate and share music with an almost countless number of users so that they could download numerous songs and albums for free.

Then came the Sony rootkit scandal in 2005, when Sony BMG Music Entertainment deliberately included malware on their music CDs that would report back to them if their CDs were played on computers instead of CD players. Attempting to remove the rootkit even caused many machines to fail. After much public and media criticism, Sony released a software tool to remove the rootkit and exchanged the infected CDs.

In the ebook world, in 2011, HarperCollins announced that the licence for new e-book titles purchased by libraries would expire after 26 checkouts. This meant that libraries would have to purchase another copy of the book that they've already bought after it has been borrowed 26 times. Librarians weren't very happy about it.

I've only mentioned a few milestones in the history of DRMs. There are of course many, many more.

The Real Story Behind DRMs

Book Buyers' Bane

DRMs are a topic of much debate in the West these days and have led to many controversies. The idea of copyright itself is being questioned by the copyleft and the free culture movement, who object to the highly restrictive copyright laws, which they believe hinder creativity. But that's a topic for another paper.



Richard Stallman's 1997 short story “The Right to Read” foreshadows where DRMs might lead us some day. It is a cautionary tale set in the year 2047:

This put Dan in a dilemma. He had to help her—but if he lent her his computer, she might read his books. Aside from the fact that you could go to prison for many years for letting someone else read your books, the very idea shocked him at first. Like everyone, he had been taught since elementary school that sharing books was nasty and wrong—something that only pirates would do.

And there wasn't much chance that the SPA—the Software Protection Authority—would fail to catch him. In his software class, Dan had learned that each book had a copyright monitor that reported when and where it was read, and by whom, to Central Licensing. (They used this information to catch reading pirates, but also to sell personal interest profiles to retailers.) The next time his computer was networked, Central Licensing would find out. He, as computer owner, would receive the harshest punishment—for not taking pains to prevent the crime.[6]

Some believe that this is already a “dreaded, insane reality”.[7]

Let's look at the various DRMs mentioned earlier and their implications for book buyers.

Copy/paste and print: If a buyer wants to copy/paste or print a few passages from a book and use them as references or quotes in an article or paper they are writing, they can't.

Make a copy: Computers and hard disk failures have taught us that we should back up all our data. DRM does not allow that. Which means if a reader loses their ebook to a computer crash, they have to buy another copy or resort to obtaining an illegal one. Gautam John of Pratham says: “There is no way for anyone to guarantee that these DRM systems will work five, ten, fifteen years from now. And if they don't work, the piece of content that I bought is broken and you can't read it any more.... If I buy a book, I can read it 50 or 100 years from now, as long as the physical condition of the book is okay, and there's no reason to degrade that experience if it's digital.”

Lend or move from one device to another: The buyer is not allowed to share the ebook with anyone – not friends, not family – on their devices. Most big retailers, like Amazon and Apple, have their own DRM systems and others use Adobe's, which only allows books to be opened on the Adobe Digital Editions software. In this situation, moving ebooks from one device to another is in some cases not possible. For example, a Kindle book cannot be transferred to Nook or vice versa. Even if

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[6] *“The Right to Read” by Richard Stallman, in Communications of the ACM, February, 1997.*
[7] *From http://falkvinge.net/2011/06/03/stallmans-the-right-to-read-becomes-dreaded-insane-reality/.*



one is allowed to move to a specific number of devices, it may not work the way one wants it to. Many Kindle customers have complained that even after removing an ebook from a device, they haven't been able to put it in another.

Number of downloads: Retailers also limit the number of downloads. Some allow only one download, which means that if the buyer loses that ebook, the only choice is to buy the book again (or obtain it illegally). For instance, Attano in India, who are ironically selling ebooks produced under the Creative Commons licence by Pratham, allows only the one download.

Reading aloud: Not allowing an ebook to be read aloud is a significant barrier for many people, including the visually impaired. Though there might be audiobooks available, it means that these customers do not have a say in choosing a format and have to go with the more expensive 'option' of audiobooks. For example, on Amazon, a Kindle ebook may cost US$ 5 while an audiobook will cost around US$ 23.

Territorial restrictions: If a reader wants to buy a Kindle ebook published in the UK, for example, they can't. This can be frustrating for book lovers in countries like India, where the ebook market is still at a very nascent stage. Nilanjana Roy, journalist and literary critic, says: “The problem for the Indian reader is different: buying ebooks is an exercise in frustration, a return to the bad old days of socialism when everything you really wanted was tantalizingly displayed in the window of a shop to which you had no entry.”[8] Another example is the iBookstore, which in India only allows users access to free ebooks that are out of copyright.

Looking at the above, for all intents and purposes, unlike a physical book, an ebook only gives buyers an illusion of ownership, even though they pay a premium price for it, many times at par with the physical book. Amazon, in its terms and conditions, clearly states: “Digital Content is licensed, not sold, to you by the Content Provider.” “Digital Content” is obviously ebooks and “Content Provider” is Amazon. One wonders how long it will be before more book buyers realise that ebooks with DRMs are not just an annoyance but that one never actually owns them like one does physical books; that buying a printed book gives one more privileges than a DRM-locked ebook. And then, how long will it take them to reach the logical conclusion that procuring an ebook illegally is simpler than buying one?

As if dealing with DRMs isn't enough of a bother for book buyers, now they also have to hunt for information on whether a particular book has DRMs or not. Online retailers often make it hard for book buyers by not clearly mentioning the kind of DRMs they have on the ebooks hosted on their

[8] *“Divide-and-Rule: The DRM Effect” by Nilanjana Roy, Business Standard, May, 2012.*



site. Since each publisher has its own demands on the kinds of restrictions that they want to put on their ebooks, these can vary from strict to easy to DRM-free. It took me a good two hours to find the terms and conditions for Kindle and ebooks users on Amazon's site. This is what it said in terms of the use of ebooks:

Upon your download of Digital Content and payment of any applicable fees (including applicable taxes), the Content Provider grants you a non-exclusive right to view, use, and display such Digital Content an unlimited number of times, solely on the Kindle or a Reading Application or as otherwise permitted as part of the Service, solely on the number of Kindles or Other Devices specified in the Kindle Store, and solely for your personal, non-commercial use…. Unless specifically indicated otherwise, you may not sell, rent, lease, distribute, broadcast, sublicense, or otherwise assign any rights to the Digital Content or any portion of it to any third party, and you may not remove or modify any proprietary notices or labels on the Digital Content. In addition, you may not bypass, modify, defeat, or circumvent security features that protect the Digital Content.[9]

There is no clear mention of what the 'security features' are in terms of printing, copying, copy/pasting, number of downloads, reading aloud or number of devices.

A customer on the Kindle Forum on Amazon's site complained:

I'm furious that Amazon is no longer indicating which books have DRM and which don't. (Use to be listed as “Simultaneous Device Usage: Unlimited” meant no DRM but Amazon has removed this category.

With this new policy, now authors have to list “DRM free” or “no DRM” in their titles or product descriptions to assure customers that they are not paying for a DRM-crippled product. (I say paying for, not buying, because if your product is disabled and controlled by DRM, you didn't “buy” it.)

I don't buy DRM books or music. I like reading on my Linux PC...and yet Amazon refuses to support it. I will stick to buying from Smashwords.com and Baen.com (which are no DRM stores) until Amazon gets their act together on this issue.[10]

An Indian reader I interviewed said: “I considered DRM a pain, but saw no other way to get some books I needed. Once, some books I had bought from one well-known ebook vendor became unreadable after a while; I was told by the vendor that the particular form of DRM had been

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[9] *http://www.amazon.com/gp/help/customer/display.html/?&nodeId=200506200*
[10] *http://www.amazon.com/forum/kindle?_encoding=UTF8&cdForum=Fx1D7SY3BVSESG&cdThread=Tx38IVR5N7WI40B*

withdrawn (or something like that) and I was given the books in another format. I had to download the stuff again. Another time, when I switched laptops (which means downloading all books again), some books of a particular format became unreadable; I followed the instructions carefully for installation and activation and stuff, but nothing worked. I then wrote to the vendor asking for help, but my queries remained unanswered. Those ebooks remain lost to me."

The scariest part of all this is that it puts control in the hands of those who put DRMs in the ebooks. They know what the customer's reading habits are, what books are there in their library, how many times they have read it, how many pages they've read, how many devices it's on, and much more. I'm going to quote Amazon's terms and conditions here one more time just because it took me so long to find them:

The Software will also provide Amazon with information related to the Digital Content on your Kindle and Other Devices and your use of it (such as last page read and content archiving). Annotations, bookmarks, notes, highlights, or similar markings you make using your Kindle or Reading Application and other information you provide may be stored on servers that are located outside the country in which you live.

Not just this, online retailers also have the power to remotely delete books from devices. This happened when Amazon deleted copies of George Orwell's *1984 and Animal Farm* from their customers' devices. Many called this action Orwellian.[11] The customers were refunded their money and the reason given was that a third party had added those books to Amazon's site when they had no right to do so. Did Amazon have the right to delete these books remotely? If these were physical copies, would they have gone to people's homes and shredded those books? The issue is not whether the reason to delete those books is valid, but about whose rights were actually violated and how much power and control can a bookstore exercise on its customers, and whether it can ever remain a one-off thing like Amazon claims.

Do DRMs Really Stop Copyright Infringement?

Breaking DRMs is not that hard. As mentioned earlier, there are many DRM technologies used with ebooks, the most common being Amazon's, Adobe's and Apple's. All of these have been broken. Even if one doesn't use DRM removal tools, it is just as easy to retype the whole book, or to use screenshots or scans to create images that can be converted into text by OCR software.

While publishers believe that DRM is necessary to stop unauthorised use, they are not convinced themselves that this will actually stop piracy. "As for copyright infringement, that is already

[11] *http://boingboing.net/2009/07/20/amazons-orwellian-de.html*

happening," says P. M. Sukumar, CEO, HarperCollins-India. "There are people in Pakistan and China who scan the books and post it as a PDF on the internet. It's not as if by introducing ebooks you are precipitating a new problem. It's a problem that already exists." Echoing this view, Ravi Mehar, Sales Manager, Cambridge University Press, India, says, "Even if DRMs are in place, piracy will continue."

What DRM can do is prevent "accidental infringement", that is, lending a book to a friend or a family member, or creating a back-up copy for safety, or even printing a few pages for personal use. But can one really call this copyright infringement? Why would any book lover want to deliberately break copyright law after having legally purchased their ebook? They know it's not right to create many copies of the book and distribute it. Is it really illegal for them to move their ebook from one ereader to another? Is it unreasonable to create a back-up for safekeeping? These are the questions that book buyers in India will soon be asking too once they directly run into the problems that DRMs seem to bring with them.

As Gautam John points out: "The tools and technology required to consume digital content are the same tools and technologies and channels that allow people to communicate and share. It's impossible to believe one will happen in the absence of the other. And if you are going to try and build the model that depends on one side of the tools and technology to get them access to that content and deprive them of the tools and technology to share and converse about that content, it's doomed to fail."

In fact, the real reason behind piracy is the lack of convenient access to content that is desirable at a price that is reasonable. Why, then, does the emerging ebooks market in India believe that DRM will be their saviour?

Why DRMs then?

Not just publishers, but online retailers, too, believe that DRM will not stop copyright infringement. They feel that no DRM manufacturer in the world can claim that their DRM software is un-crackable, and those who are hell bent on getting digital content for free will do so, no matter what.

So, if copyright infringement already exists and DRMs are not the solution, then why are publishers and online bookstores so keen on them?

Since it is the publishers and not the retailers who decide pricing for books, stores use it as a tool to prevent customers from buying ebooks from other competing stores. They lock in the buyer to their store through their DRM software so that the buyer cannot go anywhere else. For example, someone who purchases a Kindle book, can either view the book on the Kindle or the Kindle apps developed for PCs or Macs or mobile phones. They cannot read it on Pi or Wink or Nook readers.

If a customer wants to leave Amazon and move to another retailer, they have to leave behind all the ebooks purchased from Amazon because they won't open on any ereaders that don't support the Amazon app. This means that the customer would have to re-buy all the books that they have already paid good money to get.

In India, given that Flipkart has developed its own app for the digital music on their site, one could conjecture that it will follow the same model for ebooks as well. And since Indian publishers have been insisting on various levels of DRMs for their ebooks, in all likelihood Flipkart's apps will be the only platform which would decrypt the ebook files and make them readable for ebooks downloaded from their site.

For publishers, DRM is a way to reassure authors – who are their bread and butter – that their work will not be pirated. Many publishers believe that authors will be in favour of DRMs. Sukumar says: "The author basically knows that the publisher has similar interests as the author. The author also wants to maximise sales and revenues from the commercial exploitation of the book. I don't see any conflict or problem there."

Some authors are only too happy letting publishers handle all of this so that they can get on with the business of writing. Natasha Sharma, author of Icky Yucky Mucky (Young Zubaan) says: "I would be happy to leave it to the publisher.... An opinion taken is fine, but if there's a disagreement, I don't know how much I would have the overall capability, time and bandwidth to look into it."

But there are others who feel they want to be involved in the decision about the kinds of DRMs set on their books. When asked whether she would like to have a say, Payal Dhar, author of the Shadow in Eternity (Young Zubaan) trilogy said: "Yes. I would go so far as to say that I wouldn't go with a publisher who has very strict DRMs. I'm more concerned with more people reading my books than DRM."

Some publishers, too, feel that authors should have a say. Gautam John of Pratham says: "I think the author should have a complete say because at the end of the day I believe that it has a direct bearing on how many people will get to read their content. So I certainly believe that an author should have complete control over whether their book goes out with DRM or without DRM."

Some publishers and authors are also under the impression that DRMs will lead to an increase in sales by preventing copyright infringement. But there is no evidence that shows that this would actually happen. In fact, studies that are available are mostly contradictory or from questionable sources. As mentioned earlier, DRM controls allow publishers to set all kinds of restrictions on ebook buyers, who are then forced to re-buy books if they lose them when their hard drives fail or when the number of downloads expire or when they want to move from one ebook reading device to another.



The fear that authors have of their work being stolen is very valid, and DRMs are used as a tool to allay it. But in the real world, DRMs don't work. All they do is make it harder for book lovers to read an author's work. They may make an author some extra money through the re-buying of books, but it could just as well reduce sales by frustrating buyers. Lack of DRMs will not increase piracy. What will increase it is when books start to cost more because of the pricing models employed by publishers and online stores due these controls.

What DRMs will also do is wipe out online independent bookstores, who do not have the finance or infrastructure to have DRM technologies. Needless to say, this will increase the monopoly of the big players, and lead to further control and hike in prices.

DRMs and Copyright Law in India

The Copyright Act, 1954, was the first post-independence copyright legislation passed in India. This Act is compliant with most international conventions and treaties in the field of copyright, such as the Berne Convention, the Universal Copyright Convention and the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). The Copyright Act was amended many times, and one of the important amendments came in 1994, which provided protection to digital technology sectors. It contained the rights of copyright holders, rentals of software, temporary back-up copies and sanctions for infringement, including the making or distribution of copies of software without proper or specific authorisation.

Till recently, international copyright law was based on the Berne Convention and the TRIPS agreement. But since 1974, most of these have been managed by the World Intellectual Property Organisation (WIPO), a UN Agency. In 2010, more amendments were proposed to the Indian Copyright Act to bring India in compliance with WIPO Internet Treaties, which require adoption of anti-circumvention provisions, that is, to legally stop people from circumventing DRMs. India has included this provision in the bill but “only to the extent considered desirable and necessary”.[12]

DRM anti-circumvention provisions in the WIPO internet treaties are flexible, and allow countries great freedom in law making, something that India's new amendments take advantage of. The proposed amendment says that bypassing DRM “with the intention of infringing” copyright is illegal, but if that's not the intent, then it's all right. The Bill also does not address devices and software that make such bypassing possible, so those would remain legal.

But anti-DRM campaigners in India believe that since India is not a signatory to the WIPO treaties, there is no need for compliance with anti-circumvention provisions. They believe that any sort of

[12] *http://www.prsindia.org/uploads/media/Copyright%20Act/The%20Copyright%20Bill%202010.pdf*



DRM will allow copyright holders to restrict access to digital media or software under terms that would be permissible under current copyright law, like backing up a file. Including this provision means that copyright holders will be allowed to enforce their own copyright terms on digital media or software that they produce, terms that are not in accordance with the current Indian Copyright Act.

There has been a lot of pressure from the US government on India to sign and ratify the WIPO internet treaties. They have also put India, along with Pakistan and China, on the "intellectual property watch list" for failing to prevent copyright theft. This list is part of the annual "Special 301" report on the adequacy and effectiveness of US trading partners' protection and enforcement of intellectual property rights.

The US wants India to do what they did with their own Digital Millennium Copyright Act and make all DRM circumvention a crime. India's reluctance to do so may not be clear, but even if the Bill is passed, one hopes that there is enough scope there for Indian book buyers to not be penalised for their ridiculous desires to use their ebooks like normal printed books.[13]

Conclusion

The debate on DRM is hotting up in the West. Many organisations and individuals are opposed to it, and a major campaign by the Free Software Foundation, called Defective by Design, even declared 4 May as the Day Against DRM. They believe that DRM stymies creativity and innovation, and competition, that it is a violation of consumer rights and privacy, and that all existing DRM technologies fail to adequately make concessions for fair use and restrict the legal use of content.

They also believe that "digital rights management" is a misnomer and that it should be called "digital restrictions management". Many publishers have also gone DRM-free due to public demand. Tor/Forge, the science fiction and fantasy books imprint of Macmillan in the UK have decided to go completely DRM-free by July 2012. Cory Doctorow, journalist, science-fiction author and co-editor of the weblog BoingBoing hails this as "the beginning of the end of DRM".

But in India, publishers believe that in the current scenario, it would be difficult to survive without DRMs. "If it's the beginning of the end of DRM, then it'll also be the beginning of the end of publishing," says Sukumar of HarperCollins. "If there is no monetary compensation for somebody to take three years, five years, ten years to write a book, and it is going to be freely available for anybody around the world, why would that person ever bother to sit down and write another book?"

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[13] *This paper was written before the Copyright (Amendment) Bill, 2010 was passed in both houses of Parliament in May 2012.*

Thomas Abraham of Hachette feels that for a niche market like SFF, DRM-free ebooks may work, but "I would still think that if it's a Vikram Seth or something, where you've paid a very high advance, you would want to get the mileage of every sale – by language and territory." But then, if publishers are worried that no DRMs will eat into the sales of more popular authors, there is also J.K. Rowling who decided to keep the Potter books on Pottermore DRM-free when they were released in March 2012, and got three million "pupils" who enrolled at Hogwarts.

Will the absence of DRM really kill the publishing industry? If one were to take a lesson from the history of digital music, one would say that it's unlikely. When Napster was shut down in 2001 because of accusations of mass copyright infringement, it left a void in the online music market. In 2003, Apple entered the market with its iTunes music store and imposed the FairPlay DRM on its music. After that, when Amazon entered the music market, it came in DRM-free and it's pricing was also better than iTunes. In the face of tough competition, in early 2009, iTunes, too, went completely DRM-free.

Flipkart in India, when they launched their Flyte music store earlier this year, too decided to keep their content DRM-free and their prices reasonable (one can download a song for a price as low as Rs 6). Despite not having invested much in advertising and publicity, the music store is said to be delivering 8,000 downloads a day.[14]

Since this is the beginning of a journey into the world of ebooks for Indian publishers, it would be prudent to draw some lessons from the history of DRMs in the West. To realise that DRMs are more destructive to their business than useful. That imposing restrictions lead to more violations. That placing trust in their customers will go a long way towards achieving their goals of better business and building a community of happy book lovers. As author Payal Dhar rightly points out: "People don't buy books saying: 'Ok let me buy this book, then I'm going to rip it off, sell it and make money.' People usually buy books to read."

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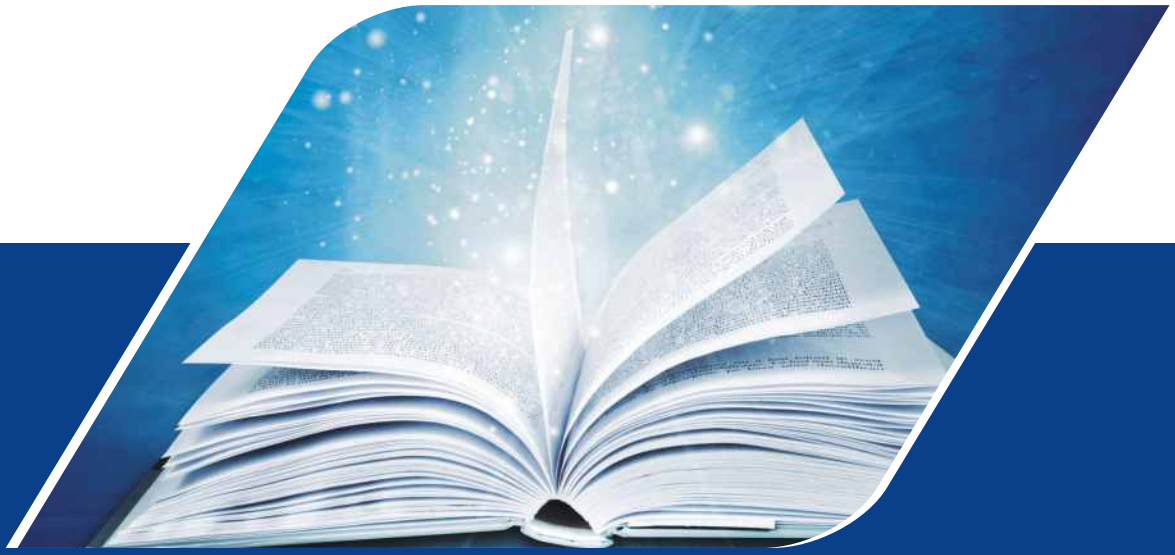
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HOW WE USE SOCIAL PUBLISHING TO CREATE 360° CHILDREN'S CONTENT

How we use Social Publishing to Create 360° Children's Content



Pratham Books

Introduction: Concept of the Commons

He who receives an idea from me, receives instruction himself without lessening mine; as he who lights his taper at mine, receives light without darkening me. That ideas should freely spread from one to another over the globe, for the moral and mutual instruction of man, and improvement of his condition, seems to have been peculiarly and benevolently designed by nature, when she made them, like fire, expansible over all space, without lessening their density in any point, and like the air in which we breathe, move, and have our physical being, incapable of confinement or exclusive appropriation

Thomas Jefferson

The rise of a stronger copyright regime-driven individualized property ownership in modern society, mediated through market exchange, has gradually colonized more and more of our social world. As a result, there has been a gradual shift of common knowledge, from the public space into the private space and this move and subsequent dealings of the private with the public occur through a marketplace. *Our question is, given that children and education are missions and not markets, should it also colonize the realm of children's books?*[1]

The Indian market for children's books has always suffered from limitations of scale and from, what Random House's Carol Schneider described as " ... not [about] people who read books for nothing ... it's people not reading books at all. You're fighting the fact that people don't read recreationally [any more]." She goes on to add that " ... anything that can help has got to be a good thing."[2] Where books in this category are concerned, a print run of 5000-7000 copies is typically seen as

[1] *The Commons as an Idea—Ideas as a Commons; David Berry; 2005*

[2] *Publisher experiments with free online books; Richard Lea; http://books.guardian.co.uk/news/articles/0,,2255877, 00.html*



successful, but given the potential size of the market, such numbers are but a drop in the ocean.[3] This reflects the contrast between exclusive and inclusive models of publishing; in the former, control is held by traditional copyright, and such a model tends to exclude those who would most benefit from free access to the works and, by the same criterion, denies the creators of such content the mindshare and recognition that greater consumption would afford. Given the realities of distribution as well as logistical and pricing concerns, and the importance of reaching the work to the last child, in India, freeing content from the medium and from the restrained shackles of traditional copyright would, logically, see considerable growth of the reading habit and recognition of content creators.

Pratham Books was created in response to an articulated need within the Pratham network to have engaging content for children, to bring in stories rooted in Indian culture, written in multiple Indian languages, beautifully illustrated and reasonably priced, and produced in a way that children would be encouraged to pick up the books and read them. Pratham Books took the lead here by changing the publishing paradigm from high-cost-low-volume to low-cost-high-volume without compromising on quality of content or production. Pratham Books was established as a not-for-profit Public Charitable Trust to reach children whom the market ordinarily would not reach, and therefore to democratize the joy of reading. Significant successes in terms of print runs and low cost publications notwithstanding, at Pratham Books we believe that a great deal more needs to be done to ensure "A Book in Every Child's Hand" as even with our growing numbers we think that we have reached out to only about 1% of children in the country. Hence, our two primary aims are to reduce the cost of each book and to go beyond the traditional distribution networks in a large way. This is crucial if we all believe in "A Book in Every Child's Hand" and consequently, it implies the need to create alternate channels of reaching books to children. A corollary of these aims is to create more content than currently exists.

It is against this background that Pratham Books has worked towards a consensus of opinion among our stakeholders – authors, illustrators, translators and reviewers – to build a new way forward. To provide open access to a library of digitized stories, both text and illustrations and to enable a platform where readers and content creators participate in a collaborative, creative and mutually beneficial process of transforming and creating engaging, openly accessible, material for the children we seek to reach. Pratham Books is focused on delivering books to the last child in the last village in India and providing the best platform for our stakeholders to showcase their work. This open access initiative melds these two objectives in a way that benefits, supports and encourages both.

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[3]The small size of the market is visible from data the Federation of Indian Publishers published in a book titled 50 Years of Book Publishing in India since Independence according to which about 11,000 publishers, in 1997, published 57,386 books in 17 Indian languages where English had a share of about 22 per cent.



The digital revolution has facilitated widespread cultural participation and interaction that previously was not possible. At the same time, it has allowed the creation of new technologies, potentially limiting and controlling these forms of cultural participation and interaction such as Digital Rights Management for audio and video, limiting fair reuse of such material. The "expression" of ideas and concepts, such as books and music, can be encoded into digital information so that it can be transferred through communications, databases and web pages. The production and distribution of this information is a key source of wealth in the digital age and creates a new set of conflicts over capital and property rights that concern the right to distribute and gain access to information. With these restrictions on the access and use of information there is a corresponding restriction on the use of ideas and concepts.[4]

Unlike physical objects, concepts and ideas can be shared, copied and reused without diminishment. No matter how many people use and interpret a particular concept, nobody's use of that concept is surrendered or reduced. But through the use of intellectual property law, concepts and ideas can be transformed into commodities that are privately regulated and owned and an artificial scarcity of concepts and ideas can then be established.[5] Within the ambit of copyright law, public pathways for the free flow of concepts and ideas and the movement of creativity and the creative are being steadily eroded – the freedom to use and re-interpret creative work is being restricted through legally based but technologically enforced enclosures such as Digital Rights Management that interfere with legally acceptable uses such as fair reuse.

Against this trend, a new global movement of networked groups that operate across a variety of creative media (e.g., music, art, design and software) is now emerging. These groups produce a collection of concepts, ideas and art that exist outside the current property regime. The creative works of the Free/Libre and Open Source communities, for instance, can all be freely examined and challenged and debated. Here, knowledge and ideas are shared, contested and reinterpreted among the creative as a community of friends. The concepts and ideas of these groups, like the symbols and signs of language, are public and non-owned.

The genesis of the Open Source movements is closely tied to the progression of this thought, particularly to its use in software and in its current form it requires, among others, that there be free redistribution, that the source be made available, that derived works be allowed and that the author's integrity be maintained. It is important and a good thing to encourage improvements, in our scenario, of readability and translations but end users and authors have a right to know who is

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[4] *Supra, note 1.*

[5] *Ibid.*

[6] *The Open Source Definition (Annotated); http://www.opensource.org/docs/definition.php*

responsible for the version of the book they are reading. Hence, authors and contributors have reciprocal rights to know what they're being asked to support and how to protect their reputations.[6]

In the world of publishing and literature, there are two such projects that mirror this ideology. They are the Open Access initiative and the Creative Commons initiative. The Open Access initiative is essentially linked to content, usually scientific literature and research, that is free, immediately available, permanent, and has online access, for any user with limited copyright and licensing restrictions, which means anyone may read, copy, and distribute that article.

The Creative Commons initiative is more cultural and in common parlance, embraces all forms of creative outputs, literature included. This project, started by Lawrence Lessig, bemoans the loss of a realm of freely shared culture and he writes about the colonization of the public domain brought about by extensions in intellectual property law and the closing down of the technical architecture of the Internet. He rightly identifies the way in which global media corporations have lobbied to extend the terms of copyright law so that they can continue to profit from their ownership of creative works and identifies the way in which private interests are simultaneously encoding and enrolling digital technologies in order to support their control of artistic and intellectual creativity. He then turns to the field of law to build a model that reintroduces a commons by instituting a farrago of new legal licenses in the existing system of exploitative copyright restrictions. This is the constructive moment of the so-called “Creative” Commons that strikes a balanced bargain between the public and private.[7] From Pratham Books' point of view a combination of Open Access and the Creative Commons and the common ideals therein would appear to be the best way forward.

At its simplest we believe that there are two paths that can be taken. One is the closed, exclusive and proprietary model which, in the context of children's books in India, will always suffer from low volumes due to high costs and significantly lower revenues, both monetarily and otherwise, to content creators, and the other model is an open and inclusive model that will being greater revenues and the benefits of exposure and visibility to content creators, the market as a whole by expansion and to the end users which in our case, are children, by availability. Pratham Books has, in a limited but enlightening way, shown that decreasing costs while maintaining quality can and does lead to higher print runs and sales.

There are numerous other well-known models that embody this philosophy. The Wikipedia model is one such project and is well known for its breadth of coverage, depth of information and community support and involvement in supplying and editing content to the project for no remuneration whatsoever.

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[7] *On the “Creative Commons”: a critique of the commons without commonalty; David Berry, Giles Moss; 2005*



In such systems, problematic content and translations are shallow because given a large enough audience, peers, readers and commentators, almost all problematic content will be quickly noticed, highlighted and fixed. In other words, given a large enough user and community base, almost every problem will be characterized quickly and the fix will be obvious to someone in the group and this draws from Maslow's hierarchy of growth needs, in particular from human cognitive and self-actualization needs.[8]

These ideas and philosophy have the potential to change the very nature of teaching and learning, producing a dynamic, interconnected educational environment that is pedagogically sound, both time and cost efficient, and engaging.

When people share knowledge, they can select from the best ideas to create the most effective learning materials. The knowledge in the repository we are seeking to build can be shared and built upon by all because it is reusable technologically,[9] legally[10] and educationally. Just as knowledge is interconnected, people don't live in a vacuum. Our endeavor is to promote communication between content creators and provide various means of collaboration because collaboration helps knowledge grow more quickly, advancing the possibilities for new ideas from which we all benefit.

Creative Commons

A free culture has been our past, but it will only be our future if we change the path we are on right now

Lawrence Lessig

Creative Commons licenses enable copyright holders to grant some or all of their rights to the public while retaining others through a variety of licensing and contract schemes including dedication to the public domain or open content licensing terms. The intention is to avoid the problems current copyright laws create for the sharing of information and provide several free licenses that copyright owners can use when releasing their works on the Web.[11]

At its simplest; there are six license formats to choose from, each of which provides for specific allowances from the original copyright holder. The four basic building blocks of these licenses are attribution (of the works so derived from the original to the original creator but not in any way that

[8] *1.The Cathedral and the Bazaar; Eric Raymond; 1997*

[9] *We will ensure that it works on multiple computer platforms now and in the future.*

[10] *The Creative Commons open-content licenses make it easy for authors to share their work while allowing others to use and reuse it legally and still getting recognition and attribution for their efforts.*

[11] *Creative Commons; http://creativecommons.org/about/*



suggests that the creator endorses the user or their use of the work), derivations (of the work and allows users to transform and build upon the work), commercial use (whereby commercial use is either allowed or disallowed for the works so placed in the public domain and of works derived therein) and lastly, a concept called share-alike whereby it allows for a viral propagation of the changes so made by mandating that if the work is altered, transformed, or built upon the resulting work may be distributed under only under the same or similar license. A comprehensive license can be created using combinations of these basic units.

Common to all of these licenses is that with any reuse or distribution, users must make clear to others the license terms of the work, any of the above conditions can be waived if you get permission from the copyright holder and nothing in this license impairs or restricts the author's moral rights.[12]

For example, Wikipedia functions under a Creative Commons-type license, Flickr, a photo sharing service, allows users to post pictures from the above set of licenses and the BBC has opened some of its archives to reuse under a Creative Commons license.

The idea behind the licensing terms is to free users from the restraints that traditional copyright law imposes by using the existing legal code to allow for reuse and adaptations subject to terms that have been outlined above. These licenses, and the content so licensed under them, then become viral both in terms of self-propagation and in terms of adaptability to the end use situation. The term "viral" is an apt analogy for these licenses, as they are designed to spread widely in an uncontrolled manner because viral licenses tend to maintain a degree of control over intellectual property by restricting the terms of the license strictly and sub-licensing openly, in contrast to copyright licenses where sub-licensing is usually tightly restricted. In the context of legally binding contracts and licenses, "viral" refers to anything, especially anything memetic,[13] that propagates itself by attaching itself to something else and viral licenses are designed with an aim to promote the use and dissemination of free content.[14] An example of a viral license is the license that Firefox, the browser, is released under where all improvements and changes made to the browser, by anyone, are immediately available to everyone, for free, because of the viral nature of the license it has been released under.

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[12]Six standard forms of the license are: Attribution, Attribution-Share Alike, Attribution-No Derivative Works, Attribution-Noncommercial, Attribution-Noncommercial-Share Alike and Attribution-Noncommercial-No Derivative Works. The full text of the various licenses can be seen at: http://creativecommons.org/international/in/

[13]A meme consists of any unit of cultural information, such as a practice or idea, that gets transmitted verbally or by repeated action from one mind to another. Examples include thoughts, ideas, theories, practices, habits, songs, dances and moods and terms such as race, culture, and ethnicity. Memes propagate themselves and can move through a "culture" in a manner similar to the behavior of a virus.

Meme; http://en.wikipedia.org/wiki/Meme

[14]Viral License; http://en.wikipedia.org/wiki/Viral_license



Open Access: Operations and Impact

If nature has made any one thing less susceptible than all others of exclusive property, it is the action of the thinking power called an idea, which an individual may exclusively possess as long as he keeps it to himself; but the moment it is divulged, it forces itself into the possession of every one, and the receiver cannot dispossess himself of it. Its peculiar character, too, is that no one possesses the less, because every other possesses the whole of it

Thomas Jefferson

In the March 2008 issue of Wired, a technology magazine, editor Chris Anderson postulates that free is the future of business. He says that between "... digital economics and price shifting, we are entering an era when free will be seen as the norm, not an anomaly and that a generation raised on the free Web is coming of age, and they will find entirely new ways to embrace waste, transforming the world in the process. Because free is what you want – and free, increasingly, is what you're going to get."[15]

It is a radical notion that content not only wants to be free but also should be free. How, then, does one compete with free and more importantly, what can free do for you?

The obvious benefits of free and open are plain to see; that the inherent capabilities of benefits of content cannot be realized till they are free of the constraints of law and medium because once it is free it then has freedom to interact and be changed and morphed by numerous users and technologies such that it breeds new hybrids and permits users more choices and freedoms. Essentially it reduces to the opening up of new and unseen options and possibilities. Every subsequent iteration of the original work is an opportunity. An opportunity for the original idea to spread and an opportunity for the creator to be associated with a spreading idea, a meme.

These trends have not been lost on large mainstream publishing houses either. Harper Collins has announced that it will begin offering free electronic editions of some of its books on its website, including a novel by Paulo Coelho and that the idea is to give readers the opportunity to sample the books online in the same way that prospective buyers can flip through books in a bookstore.[16] Random House has announced that it will strip away the anticopying software on digital downloads of audio books.[17] And they are not alone. Content creators themselves have begun to embrace this

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[15] *Free! Why $0.00 Is the Future of Business; Chris Anderson; Wired Magazine, March 2008*

[16] *HarperCollins Will Post Free Books on the Web; Motoko Rich; http://www.nytimes.com/2008/02/11/business/media/11harper.html?_r=1&ref=business&oref=slogin*

[17] *1.Publishers Phase Out Piracy Protection on Audio Books; Brad Stone; http://www.nytimes.com/2008/03/03/business/media/03audiobook.html?_r=2&ex=1362286800&en=532c5990a945bffd&ei=5088&partner=rssnyt&emc=rss&oref=slogin&oref=slogin*



brave new world and are using free and open content *to develop a reputation which exceeds a mere slogan, sales letter or promised benefit*. Free and open content is a tool that helps develop publicity and eventually generate demand for services, products and premium content.

Paulo Coelho, a bestselling author, goes so far as to actually encourage piracy of his books and is such a fan of giving his book away for free that he's even set up his own blog called Pirate Coelho where he points to where you can download various translations of his best selling book *The Alchemist.* What Coelho quickly discovered was that the more his book was available for free, the more sales of the actual book increased. As an example, he cites the Russian translation of his book, where it went from only 1,000 sales to well over 100,000 in a period of two years, and has only continued to grow since then. This does highlight that irrespective of whether it's a well-known content creator or a relatively unknown one, everybody ought to use these strategies to their advantage.[18]

Neil Gaiman, a very popular novelist and illustrator, states, "It's much more about gaining an audience than about some one-to-one correlation [and] it's a question of how do you find new writers." People, he explains, often come to new authors in a library, on a friend's bookshelves, or by a personal recommendation and that "... it doesn't always begin with a financial transaction. I very much doubt that I discovered a single one of my favourite authors by buying a book."[19]

There is yet more evidence that making books available for free actually drives sales of the hard copy. Oprah Winfrey promoted a year-old Suze Orman book by giving it away for free on her website as a download for 33 hours. 1.1 million people decided to download it and even though the book was a year old and available for free it was still the #6 most popular sold book on Amazon.[20] And there is further, anecdotal, evidence that downloads of books outnumber the copies bought by orders of magnitude. The Human Sciences Research Council in South Africa went open access in 2001 and put all its publications online and print sales went up by 300 per cent as a result.

Recently, musicians have begun releasing there music online, for free and under a Creative Commons license as well so that users are free to do as they see fit and create derivatives of the original work. Nine Inch Nails and Radiohead, two famous bands, have attempted such releases and

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[18] *Best Selling Author Actively Pirating His Own Book -- Finds It Helps Sales Tremendously; Mike Masnick; http://www.techdirt.com/articles/20080124/08563359.shtml*

[19] *Supra note 3.*

[20] *Another Free Book Example; Oprah Book Give Away Keeps Actual Sales Strong; Mike Masnick; http://techdirt.com/articles/20080218/004601276.shtml*

[21] *Radiohead: EMI main barrier to online music; http://www.electronista.com/articles/07/12/20/radiohead.on.emi.itunes/*

[22] *R.E.M. Puts New Album Online Via iLike; Michael Masnick; http://techdirt.com/articles/20080312/004726506.shtml*



they have been immensely successful. The latter had huge success using a “name your own price” offering and claimed that "... in terms of digital income, we've made more money out of this record than out of all the other Radiohead albums put together, forever."[21] R.E.M. is the latest big name band to take a step in this direction, as it's making its new album available via iLike, the popular social networking application and the band had also made news a few weeks ago by allowing fans to create videos of the first single off the album.[22]

Thus, open access is not only the “right” thing to do but is, increasingly and frequently, a sound publishing strategy for both authors and publishers.

Our Experience

Our mission is simple, "A Book in Every Child's Hand," and it has two parts: one is to create more reading matter such that there is more material available for children to read, and the second is really a corollary – to be able to get books to where children need them the most, which means that the books need to be culturally and linguistically relevant and must be in forms that foster inclusiveness.

Pratham Books uses the CC BY 3.0 licence as the default CC license for all of its books (and illustrations) that are published under a CC licence with a fall-back to the CC BY-SA licence in certain cases. However, when Pratham Books first began its experiments in sharing, it used a CC Attribution-Noncommercial-Share Alike 2.5 India licence. Over the course of its journey, Pratham Books has seen the value in using the more open CC BY and CC BY-SA licences.

Pratham Books did spend some time choosing a licence and given its prior disposition to openness and sharing, the choice was reduced to a one between the Attribution and Attribution-Share-Alike license. Pratham Books decided that the Attribution license would be its default license with a fall-back to the Attribution-Share-Alike license in cases where needed. We subscribed to the following statement by P2PU: "it emerged that our choice lay between two licences: Creative Commons Attribution and Creative Commons Attribution Share Alike ... chose to use Creative Commons licences because Creative Commons have become a global standard and are supported by a large international community. Both licences are Free Culture licences and are more permissive than any of the other Creative Commons licences. In other words, the choice was not between two extremes but between two open licences at the same end of the licence spectrum.” Given that Pratham Books' goal is to be as open as possible, it followed that the licence choices were essentially around licences that allowed for the greatest possible use and re-use because the initial hypothesis was, and continues to be, that being open allows Pratham Books to fulfil its mission better than a traditional copyright model allows.



Pratham Books' motivation and challenge is to massively scale the production of high quality, low cost children's books for a multi-lingual and multi-cultural market. This challenge is not one that a single organization can take on. The solution had to be scalable, flexible and catalyse Pratham Books' fundamental mission as well.

However, there were several internal questions for the publisher to answer: whether the books created and distributed had to be a Pratham Books' book; whether every book must be paid for by either the reader or an intermediary; and from a publisher's standpoint, whether Pratham Books is the gatekeeper or the curator of content, how it could create infinite good with finite time and resources, and most importantly, how it could create more value in the ecosystem than it captured by way of sales.

Having answered most of these questions using “openness” (whereby, Pratham Books asked whether allowing unrestricted access to use and re-use of their content furthered their mission) as a test and finding that it did fit their mission, the second set of questions to answer was more technical – how, as a small non-profit, does the organization accomplish ”openness” and not find itself overwhelmed and sapped of resources. It was at this point that Pratham Books had a moment of realization – that reading is an extremely social activity and that there are communities and organizations that were more than ready to help it achieve its goals, such as Creative Commons.

The Creative Commons licensing model is one that has helped Pratham Books achieve many of its aims of flexibility, scalability, and its mission of placing a book in every child's hands. In particular, Pratham Books identifies two specific outcomes: a shared value system of sharing and openness with a growing community of users, and increased scale of the project. Pratham Books has been able to license content to multiple organizations and individuals, both known and unknown, with a one-time effort of releasing them under a Creative Commons licence, as opposed to the traditional model which involved time consuming negotiations and discussions with each known organization or individual who wanted to use its content.

This has formed one of the foundations for a social publishing model – where Pratham Books curates communities that are passionate about reading and helps them create such content. Such a model rests on the idea of a participatory culture and an essential ingredient is a permissive licensing strategy – Creative Commons licences offer this along with a large community with shared values and an ecosystem to tap in to.

This model has involved several changes to the workflow that Pratham Books follows. Firstly, our contracts with authors and illustrators have changed and have moved from the traditional publishing contracts that require either a licence or an assignment of copyright to one that allows



the use of open licences, Creative Commons Attribution or Attribution Share-Alike licence in particular, by authors and illustrators. When a book is marked under a Creative Commons licence, the requisite licence logos and text need to be imprinted on the book and the images and book uploaded to our online platforms simultaneously. Lastly, it requires an on-going engagement with the larger community to drive community reuse of this content.

It is important to remember that Pratham Books' work would not have been possible without its award-winning social media strategy that has built a large, vibrant and active community around our work. Our various digital media properties gather close to 20,000 visitors a month and 40 odd books under Creative Commons licenses have been read and downloaded close to 500,000 times, also the illustrations and photographs from our events have been viewed roughly 200,000 times. These are very big numbers for a small non-profit publishing house and it is our media and community strategy that gives us leverage for the mission and the work we do.

While such a licensing and publishing model works well in theory, it has been extremely heartening for Pratham Books to see it come to life – communities have created multiple derivative works ranging from iPad and iPhone applications, to porting such works to OLPC laptops, to creating entirely new books from existing illustrations and creating versions of their books for the print impaired – from DAISY and Braille books to rich audio books such that it is closer to fulfilling its mission of reaching every single child. And this is only a small sampling of what has been done with our content. Audio versions of our books that have been recorded by Radio Mirchi for the National Association of the Blind and these have been heard, via only our channel, close to 20,000 times, we have applications created from our books by multiple partners and for multiple platforms including Fliplog who created iPad, iPhone Android and Intel AppUp applications. Speaking books were created by Naavica Systems and interactive books by MeMeTales. eBooks are available on the Wink Store, Microsoft Research ran a pilot with some of our books on DVD formats in Gujarat and Karnataka and our books have been translated into Nepali and are available on Nepal's E-Pustakalaya platform. Our books have been translated into languages we do not publish in including Assamese, Italian and French with translations in Santali, Hebrew, Malayalam and Konkani underway.

From the demand side, Pratham Books has realized that to fulfil our mission of putting a book in every child's hands requires revolutionary approaches to the distribution mechanisms. It also requires a greater output of books, greater than the 120 books, that we are currently able to output each year. It requires translation into Indian languages that are accurate and speedy. Given these limitations in current organizational operations and limitations of scalability and ability we believe the Open Access initiative fulfils these identified needs by allowing distribution of the openly accessible books and by allowing local NGOs and edu-preneurs, on the ground to serve as catalysts



by functioning as proxies for distribution; by creating and enabling a community of volunteers to build upon, transform and assist in the book building phase and by enabling Pratham to focus on off-line efforts to distribute books to the farthest corners. With this platform we will be able to deliver out books the world over as reading and collaboration is a "good", stories can be universally appealing and school subject matter is largely the same world over.

On the flip side, from the supply side, we believe that this model will provide untold opportunities for our authors and everyone else involved with the publishing of a book by providing and sustaining visibility, patronage, findability and fostering goodwill[23] without the loss of the ability to independently monetize the works so created. It offers a method for content, and the content creators, to be present in countless media and online retail outlets, simultaneously, instantly and perpetually. It allows niche content to find a market and allows the market to fill the niches and it permits consumer to consumer interactions and permeability between consumers and content creators and above all, it allows a focus on innovation and imagination - and all of this is possible because of small overheads and deep community support.[24] The Open Access model we have adopted also allows us to breathe new life in to our backlists by allowing the community at large to repurpose content that would otherwise lie unused – this moves us from gatekeepers to curators and is important, given the usual fate that befalls backlists that are not ever re-published.

It is possible to envisage a book in English being translated into Farsi and having children in Uzbekistan benefit from it, for the illustrations from the very same book to be used to re-tell a story in Peru, for a teacher in Ghana to make an audio version of the book so that her charges can read along with the book and for a child in the farthest reaches of Assam to find a book translated to Assamese and distributed by a local non-profit organization. The options are legion and are limited only by one's imagination. Open access is a simple, practical and efficient way to significantly shake things up: the question we might ask ourselves is, what we have got to lose?[25]

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[23] *Better Than Free; Kevin Kelly; http://www.kk.org/thetechnium/archives/2008/01/better_than_fre.php*

[24] *The live music talk; Seth Godin; http://sethgodin.typepad.com/seths_blog/2008/03/the-live-music.html*

[25] *Internal Presentation; Achal Prabhala; 2007*



Understanding Self-Publishing

Understanding Self-Publishing



Leonard Fernandes

Self-publishing, that 'other' in the room, received widespread attention last July when the Penguin Group purchased Author Solutions, arguably the largest provider of self-publishing services in the USA, for US$ 116m. The act was a vindication of the business model centered around helping authors publish their own books by offering them the services they need. That a world-renowned publisher, Penguin no less, should see merit in such a business model prompted many to ask if self-publishing was the next big thing in publishing and if publishing as we knew it and referred to as legacy publishing was losing its appeal. The deal prompted Mike Shatzkin, chief executive of Idea Logical Co., a New York-based publishing consultancy to state that it [the purchase] "constitutes tacit recognition that the legacy publishing model is severely challenged and may not work sometime in the foreseeable future."

So what is self-publishing? What does it mean and how is it any different from anything else? To appreciate self-publishing, it might help to understand how publishing, in the traditional sense, works. Without attempting to over-simplify it, "traditional" publishing starts when an author approaches a publisher, directly or through an agent, and submits a manuscript. The publisher examines the "feasibility" of the manuscript, basically determining if the topic or plot addressed by the author will excite a sizeable readership, and publishes the manuscript if it passes the feasibility test. From that point on, the publisher assumes all responsibility to ensure that the book is properly presented and marketed and available to any reader who might be interested in it. The publisher bears the cost of the production of the book and its marketing and is therefore very careful of the book he/she chooses to publish. This type of model therefore sees many manuscripts being rejected, not necessarily because they are badly written or have carelessly constructed plots but because publishers feels they will not be able to adequately recoup their investment in the production and marketing of the book. The money invested in a book is large partly because economies of scale demand large print runs - the number of copies of the book printed at once. The large investments prompt publishers to often ask authors to sign the rights of the book to them so that they can take advantage of other avenues to recoup these costs. In this traditional way of doing things, the publisher determines the royalty that the author will receive on each book sold.



If one were to consider the self-publishing process, on the other hand, the author assumes charge of the entire publishing process i.e. he/she self publishes the book. It means that the author attends to every aspect of the book - whether its editing, the design of its cover and interior, its printing, warehousing, storage, marketing and distribution. The author decides to publish the book because he/she feels that it is a book that deserves its day in the market and assumes all costs related to its production and marketing.

Self-publishing service providers are entities like the abovementioned Author Solutions and others like Lulu and Createspace abroad and CinnamonTeal Publishing, Pothi.com, Power Publishing and others in India that offer the author the services he/she needs to publish the book. Our company, CinnamonTeal Publishing, for instance, offers editing, cover design, typesetting, printing, distribution, indexing and translation services, among others, just like many others do. A good service provider will allow the author to pick and choose the services he/she requires and charge for those alone. Such providers also allow the author to retain all rights to the book and its contents and derivatives and to determine the price of the book. They will ensure that all profits from the sale of each book go to the author.

So why is self-publishing the latest craze and why do people self-publish? Unlike as is often thought, many authors do not choose the self-publishing route because their manuscripts have been rejected by traditional publishers. Authors choose to self-publish because it allows them control over the entire process - like choosing, for instance, the font for the title, the dimensions of the book, the cover design and the bookstores the book will appear in. They do so because some of them have heard about the time it takes for books to be accepted and published by traditional publishers and because these publishers might then choose to modify aspects of the book to make it more "palatable to readers". Self-publishing is also more attractive to authors because it allows them to retain all rights to the book and determine what royalties he/she will receive upon each sale.

Self-publishing was not always and still isn't quite the accepted way of publishing a book. It is often frowned upon by traditional publishers and distributors and is derisively called "vanity publishing", suggesting that it is a course that authors have resorted to because a traditional publisher did not find the book good enough to publish. That accusation is slowly beginning to sound hollow primarily because readers care more about the plot of the book and less about its publishers. Of late, many self-published books have found acceptance in the market, both abroad and in India. The increase in self-publishing can be attributed to the a) technological advancements, especially those related to the publishing of e-books, that facilitate easy self-publishing, b) on-demand printing techniques that reduce investments in printing and warehousing books, c) rising levels of



disposable income that allow the author to invest in self publishing and d) the advent of e-commerce and social media marketing that makes it easy for authors to raise awareness of their books and facilitate their purchase.

That said, self-publishing requires a certain amount of discipline by the author and isn't everyone's cup of tea. The self-publishing process is best seen as an entrepreneurial venture, one in which there are monetary investments as well as returns that can be realised only over an extended period of time. Self-publishing authors must, therefore, be an extremely patient lot. We have had many authors asking us to price their books high so that their investments are easily recouped. That is often a bad move as it, more often than not, prices the book out of the market. The author will also do well to acquaint himself or herself with the production process and the importance of each step. For instance, we have had to convince many authors that the book must be edited meticulously, by a professional editor, before it can be published. The road to a self-published book is indeed a long, arduous one that authors must prepare themselves for. And like most long, arduous roads, the sweet end justifies the journey.

The equation of the self-publishing process to an entrepreneurial venture is indeed an apt one because like all such ventures, a full time engagement is important. It has been our experience that many authors disengage themselves from the process and expect things to happen. Such a book, bereft of the author's attention, is almost always set for failure. The author must be involved at every stage of the publishing process, most importantly during its marketing. Almost all our successes have come from books whose authors have tirelessly marketed them. If the marketing effort is strong and sustained, sales figures of 2000 and above can be easily realised.

All said and done, self-publishing remains an attractive and viable option for many authors today, one that offers them an opportunity to take their ideas to the world and one that, with a little effort, can be rewarding monetarily.

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THE E-BOOKS OPPORTUNITY IN INDIA

The E-books Opportunity in India



Kaushik Sampath

Many publishers today are looking at ways to increase their returns from the sale of their content. They are also aware of the shift that is happening towards electronic content or, simply, eBooks. It is an undeniable fact that eBooks are here to stay. In this paper, I look at what publishers need to do to enhance their revenue and how best they can adopt the digital sales process.

The Shift Towards eBooks

The onset of the digital age has given rise to many opportunities both for content publishers and for consumers. For publishers, this gives them a chance to explore new models, new markets and new ways to provide rich content. For consumers, this is a chance to exercise choice, obtain content on the device that they own and take their books with them wherever they go.

Apart from these, there are other compelling reasons for publishers to get into the eBook business. There is an exponential penetration of laptops, desktops, tablets and smartphones in the Indian market. This device proliferation can be translated into opportunities for delivering content to those devices. This is also aided by well-established eCommerce systems that are convenient, secure and becoming common-place. Consumers are not hesitant to use their credit cards, debit cards or Internet banking accounts to shop online. This, and the instant gratification of allowing downloads of eBooks makes it so much more attractive for the consumer.

Reading habits are also changing. Much of the multi-volume Encyclopedia Brittanica has now been replaced by Wikipedia - on the cloud and on any device that is connected to the cloud. Wikipedia is probably the number one reference material for the common person now. Consumers are turning towards more searchable solutions.

Questions at the Outset

Publishers are faced with a plethora of questions when it comes to eBooks - how to start the digital process? Where should they go? What does it take to get there? Who should they go to? How can they balance print book sales and eBook sales? Will the eBooks kill their print product sales?



While there is no perfect answer to all of these questions, there are several possibilities that can help take advantage of the digital revolution.

Creating Digital Content

The first step a publisher needs to take is to convert their content to a digital format. The digital format could be one of the many that are popular today.

ePub is now a standard that is being used by a number of retailers including Qbend. Getting your content on this format opens the doors for retailers like the Apple iBookstore, Barnes & Noble Nook Store and quite a few others. The latest specification of ePub, called ePub3, contains support for much richer content including audio and video elements though the reading devices except for the iPad are not yet ready for it.

The other popular format is the MobiPocket which is used by Amazon for their Kindle store. The MobiPocket is not as flexible as the ePub format but works seamlessly on the Amazon Kindle device. Amazon has also established a standard called Kindle Format 8 (KF8) that supports enhanced eBooks with audio and video, though at the time of this writing, this is yet to be mainstreamed.

PDF is also an eBook format that finds application in specific areas like education where the layout of the content becomes very important for the student to learn. There are plenty of companies that provide these eBook conversion services for publishers in India including Qbend.

Getting the eBook Ready for Distribution

Once the eBook is created, the next step is to find a place for selling it. There are two approaches to this and, fortunately, they can both co-exist.

The first approach is to find a retailer who can sell your eBooks. There are many in the USA like Amazon, Apple, Barnes & Noble, Sony, Kobo, etc. who can do this for Indian publishers. The disadvantage of this approach is that the publishers will have to make their eBooks stand out from thousands of similar titles. The royalty payments for non-US publishers from these retailers are also not high. However, these channels have a huge consumer-base and must be given serious consideration.

The second approach is to sell your eBooks on your own. Larger publishers may have the bandwidth to create their own eBook portals which smaller publishers may lack. This does not mean that this is an expensive affair. The main purpose of my company, Qbend, is to empower publishers to explore



this opportunity without having to worry about expenses, resources, etc. The advantage of this approach is that there will be direct interaction with consumers that will give the publishers the opportunity to re-target them for future sales.

Marketing Where the Consumers Are

Often, in the print world, publishers seldom know who buys their books. It is not that they do not care but the limitations of the distribution system prevent them from having this information. What the publishers are missing out is enormous - imagine a situation where a publisher has just had an interaction with someone who is interested in their books and they can never contact them again. The reach of the publisher is also limited by the reach of their distribution system. Even though a consumer outside India is interested in a book by an Indian publisher, the cost of shipping the book to the consumer often times outweighs the cost of the book itself.

The digital world changes all this. The publisher can know who has bought their content, where they come from, their demographics, etc. As much as there is a need for the publisher to sell their content to consumers, the consumers have the need to obtain good content. The digital world bridges this gap and brings the publishers and the consumers closer. It is not limited by geographical distances - the content is always just a browser away.

Online marketing helps publishers reach their preferred target. Advertising campaigns using Google, Bing, Yahoo, Facebook, etc., allow the advertiser to define their targets precisely. For example, a higher education publisher can target students in the age group of 18-24 fairly easily. From an Indian context, the publishers will now be able to reach out to the millions of Indian expatriates or overseas residents who grew up reading their content. This significantly expands the market that they can cater to and, naturally, results in much higher sales revenue. By doing this, the publisher should also be able to set differential pricing for their eBooks based on the market where the consumer is coming from.

Knowing the Consumer

The most significant part of digital sales is the need to know the consumer. When it comes to the online experience, there is much competition from many segments for the consumers' time and attention. The publisher's eBook store is competing with not just other eBook stores but also with YouTube, Facebook and all other portals that vie for the consumer's choice.

Hence, it becomes necessary to understand the consumer's interest and fulfil their needs. This could mean adopting an unconventional sales method, providing content that is better suited to the consumer's needs, enriching the content for better engagement, etc.



For example, a publisher creating eBooks for college students can rent the eBooks to them for the duration of their semesters. Students are known to demand the maximum value for the money they spend. Renting the eBooks to them at a lower cost can persuade them to use the publisher's eBook store instead of trying to photocopy the book or borrow it from a friend. In these other cases, the publisher gets no compensation for the use of their content.

Another example would be to sell the eBooks as smaller parts, typically, as individual chapters. A student can buy only chapters that are needed for his/her syllabus or a reader can try a few chapters of a novel before buying the whole book to see if it is interesting to them. A close analogy to this, though not directly comparable, would be the music industry where iTunes started selling singles instead of the entire album.

A third example would be enrich the books with additional content. These could be embedded audio or video, interactive simulations, etc. These aspects engage the consumer in a much better way and provide a compulsive reason for the consumer to buy eBooks.

If the publisher knows and understands their consumers, it helps them to target the consumers better resulting in better returns for the marketing money spent. A consumer who has bought all of Chetan Bhagat's novels, for instance, would be a better bet to market the next Chetan Bhagat novel. The unfortunate scenario is that most retailers do not provide information on who the consumer is to the publisher. White-labelled eBook solutions like Qbend do, along with extensive consumer behaviour and analytics that help publishers design their online marketing campaigns better.

Delivering the Content

The last step in the cycle is the ability to deliver content. This is typically taken care of by the retailers. However, the publisher will need to make some important decisions in terms of how the content is delivered.

The key aspect is pricing - how can the eBook be priced since the costs are not comparable to print books? eBooks typically do not have storage or inventory costs, but they do have conversion costs and other digital-specific costs. In many cases, retailers do not provide publishers the chance to set the pricing for the eBook (like Amazon, Barnes & Noble, etc.) but in some cases they do (like Apple).

Then there is the digital rights management (DRM) decision. DRM technologies enable publishers to impose restrictions on how the eBooks can be used after purchase. These include limiting printing, copying and sharing. There is a strong debate going on in the publishing industry about whether DRM techniques are good or bad. The argument in favour of the technology is that it



protects the copyright of the content owner while the argument against is that it limits the consumers' right to use the content the way they want.

eBooks are generally allowed as an instant download after the purchase is complete. Typically, the consumer has a download area in the eBook portal through which the eBooks owned by the consumer can be downloaded.

Conclusion

eBooks are an exciting development in the book publishing industry. As we have seen above, they provide a lot of opportunities for publishers to reach out to a larger audience, try different sales models, increase engagement with consumers and as a result increase their bottom-line.

The author is the Chief Operating Officer of Qbend (www.qbend.com), a digital content delivery platform designed to help publishers establish themselves in the eBook market by providing content creation, marketing, sales and distribution services. The author can be reached at kaushik@qbend.com.



Digital Rights Management

Digital Rights Management



Rishu Srivastava and Bhawna Sharma

The advent of Information and Communication Technology (ICT) as well as the rapid development of worldwide web has radically changed the Internet from a mere technological infrastructure into a network linking people across the world and ultimately into the leading purveyor of information in the digital age, and also a major role player in the global economy. What initially started as a scientific and academic network has unleashed an era of electronic commerce and digital economy based on easy access and multifunctionality. The progress of ICT has engendered an era of digitized information which can be copied, shared and exchanged innumerable times by millions of people throughout the world who are connected by means of computer networks.

While in the case of analog media the quality of copied material deteriorates every time a copy is generated, digital media files can easily be replicated without affecting quality of subsequent copies. Powerful computers, improvements in compression technology and expansion of bandwidth have even made sharing of larger files very easy. Linking, framing, peer-to-peer file sharing have all led to rampant digital piracy and a difficult situation for intellectual property rights holders. The rapid digitization and unauthorized copying, reproduction and distribution of their work has meant that rights owners have had to bear significant losses. It is reported that the total number of users logged onto major P2P networks at any one time is approximately 10 million, sharing over 10,000,000 GB (10 Petabytes) worth of data.[1] It is difficult to regulate those P2P systems that are not using centralized servers but enable the user's computer to act as a search engine for processing each request and downloads. Digital Rights Management (DRM) has therefore assumed significant importance as the development and the advancement of technology needs to be complemented with intellectual property so that the social, political and financial needs of the rights holder are secured.

What is DRM?

Under Digital Rights Management, IT tools are employed to facilitate the rights holder to exploit their proprietary rights. DRM aims to enforce certain usage rules in respect of content protected by

[1] *Source: CacheLogic.com*

intellectual property such as the terms and price under which a person is entitled to use the work. The rights holders are enabled by DRM technologies to enforce accession policies in respect of copying or viewing of the content created by them. Restrictive Licensing Agreements, Encryption, Scrambling of expressive material, and embedding of a tag are some of the common DRM techniques.

From a functional perspective the DRM can be bifurcated into two broad areas:

- **Digital Rights Management-** Includes identifying and describing IPR in respect of work and parties involved in its creation and administration; and
- **Digital Management of Rights-** Includes the (technical) enforcement of usage restrictions

Drivers of DRM

World Wide Web, Internet and E-Commerce: Internet emerged as a key to successful commercial ventures all the while enabling easy distribution of copyrighted material and subsequently posing problems for rights holders to manage their IP assets in the dynamic environment.

Ripping Technology: Extraction of digital content from Compact or Digital Video Disc into other media such as the hard drive of the user coupled with web based applications (such as Napster and kazza) has made ripping a rampant problem and a threat to copyright holders.

Peer-to-peer file sharing: Peer-to-Peer networks incorporating technologies that do not require a central server, has not only made all the content vulnerable to copying and distribution but has also posed severe enforcement issues and has made legal pursuit even more difficult.

DRM: An Indispensible Tool in Protecting IP and Creating New Business Models

As the transmission technology coupled with internet based application has progressed over the years, so has the ease with which a work can be copied and distributed. The rights holders are challenged with the daunting task of protecting their copyrighted work from unauthorized use. Though perceived as the means of protecting digital media copyrights, DRM not only thus plays a crucial role in restricting the unauthorized distribution of digital content but also covers a much larger landscape by addressing issues like providing new avenues for packaging, pricing, distributing and selling the protected contents. In the coming years the traditional business models for content exploitation will undoubtedly be supplemented by new models, enabled by DRM technologies.



DRM Services for Texts, E-books and Documents

The text industry is not aloof from the DRM initiatives and technologies. Microsoft has developed a DRM system for customized electronic publications called the Digital Asset Server. Adobe, Microsoft's main competitor, is selling the Adobe Content Server. Palm's software division, Palm Digital Media, has also developed a customized DRM system for distributing its eBooks. DRM aggregators such as Overdrive, are using technologies from several DRM vendors to build custom systems for the online publishing industry.[2]

POPULAR DRM SCHEMES USED IN PUBLISHING INDUSTRY

- There are three main ebook DRM schemes in common use today, one each from Adobe, Apple, and the Marlin Trust Management Organization (MTMO).
- Adobe's Adept DRM is applied to ePubs and PDFs, and can be read by several third-party ebook readers, as well as Adobe Digital Editions software.
- Apple's Fairplay DRM is applied to ePubs, and can currently only be read by Apple's iBooks app on iOS devices.
- The Marlin DRM was developed and is maintained in an open industry group known as the Marlin Developer Community (MDC) and is licensed by an organization known as the Marlin Trust Management Organization (MTMO).
- Barnes & Noble uses a DRM technology provided by Adobe, and is applied to ePubs and the older Palm format ebooks.
- Amazon uses a DRM which is an adaption of the original Mobipocket encryption, and is applied to Amazon's Mobipocket and Topaz format ebooks.
- Adobe Reader and Microsoft Reader are the PC and Macintosh software programmes to view e-books. Each programme uses a slightly different approach to DRM.
- The first version of Adobe Acrobat e-book Reader to have encryption technologies was version 5.05. In the later version 6.0, the technologies of the PDF reader and the e-book reader were combined, allowing it to read both DRM-restricted and unrestricted files. After opening the file, the user is able to view the rights statement, which outlines actions available for the specific document. However, when viewing a more highly restricted e-book, the user is unable to print the book, copy or paste selections. The level of restriction is specified by the publisher or distribution agency.

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[2] *Digital Rights Management, Retrieved on August 13, 2012 from Wikipedia http://en.wikipedia.org/wiki/Digital_rights_management*

- Microsoft Reader, which exclusively reads e-books in a .lit format, contains its own DRM software. In Microsoft Reader, there are three different levels of access control depending on the e-book: sealed e-books, inscribed e-books and owner exclusive e-books.
- Sealed e-books have the least amount of restriction and only prevent the document from being modified.
- Inscribed e-books are the next level of restriction. After purchasing and downloading the e-book, Microsoft Reader puts a digital ID tag to identify the owner of the e-book. Therefore, this discourages distribution of the e-book because it is inscribed with the owner's name making it possible to trace it back to the original copy that was distributed.
- The most stringent form of security that Microsoft Reader offers is called owner exclusive e-books, which uses traditional DRM technologies. To buy the e-book the consumer must first open Microsoft Reader, which ensures that when the book is downloaded it becomes linked to the computer's Microsoft Passport account. Thus the e-book can only be opened on the computer with which it was downloaded, preventing copying and distribution of the text.

Source: Digital Rights Management, Retrieved on August 13, 2012 from Wikipedia http://en.wikipedia.org/wiki/Digital_rights_management

DRM Application

As stated above, DRM enables the rights holders to safely distribute their protected work online in digital format. The access rules thus devised by the content owners addresses several parameters including price of the content, frequency with which the data can be accessed, duration of accession and the authority provided to users to save, print, modify, transfer or share the data.

Several business models have also emerged on the basis of above parameters including trial before purchase, promotional previews, subscription and purchase of downloadable media.

The contents which come within the purview of DRM are:

- Audio and Video: -audio CDs, internet music, films, television content;
- Publishing: - books, e-books, documents, magazines, journals, articles;
- Software and computer games etc.



The DRM Technology Used by the Industry

The DRM is an amalgamation of disparate technologies, expertise and services which, when installed either on user's device or network server, enables the protection of the digital content. The WIPO standing committee on copyright and related rights (in its Tenth Session) has identified these technologies as follows:

Encryption

The process of encryption is employed to protect accession to owner's IP without proper authentication and authorization. It involves mathematical algorithms that scramble the digital information in such a way that it could not be accessed without the right holder's authorization.

For effective DRM the encryption system must have sufficient security depending on the type of content for which it is designed, it must be user friendly, and should be renewable and revocable in case the security of the same has been vitiated.

The management of keys used to unlock the encrypted content is the most important aspect of DRM encryption technology. Generally the Single Key encryption and Private Key/Public Key encryption are the two kinds of digital encryption employed in DRM. While the former is a much simpler, it is the latter process that involves complex Modular Arithmetic and the creation as well as processing of content secured with public/private key encryption requires a great deal of computing power.

Fingerprinting

Fingerprinting is a content-based identification technology that works by extracting the characteristics of a file and storing them in a database. When an unknown file is presented, the said technology calculates its characteristics and attempt to find its match with those that are stored in the database. The metadata is returned from the fingerprint database if an appropriate match is found. The fingerprinting systems are generally used to monitor peer-to-peer content distribution systems for copyright infringements. In comparison to computer graphics, these systems are more suitable for audio, video and audio-visual content.

Watermarking

A watermark is embedded information that is used as a part of system for Digital Rights Management. The watermarks are utilized for disparate purposes including recording of the copyright owner, distributor and distribution chain and identifying the purchaser of the work.

Contrary to encryption technology that aids in transmission of data but not in the examination of the work in protected form, the watermark remains in the content of the protected work.

Watermarking however has certain shortcomings. For instance small graphic elements cannot effectively carry watermarks due to general limitations on the amount of data that can be embedded into the content. Secondly as embedding a watermark usually involves change in the original content, the quality of the material is susceptible to alteration if watermarks are repeatedly embedded in the same content.

DRM TECHNOLOGIES USED BY MAJOR ORGANIZATIONS

- The DRM system of Microsoft's Windows Vista called the Protected Media Path contains the Protected Video Path (PVP) that tries to stop DRM-restricted content from playing while unsigned software is running in order to prevent the unsigned software from accessing the content. PVP can encrypt information during transmission to the monitor or the graphics card, which makes it more difficult to make unauthorized recordings
- Napster music store offers a subscription-based approach to DRM alongside permanent purchases. Users of the subscription service can download and stream an unlimited amount of music transcoded to Windows Media Audio (WMA) while subscribed to the service. But when the subscription period lapses, all of the downloaded music is unplayable until the user renews his or her subscription.
- Sony operated an online music download service called "Connect" which used Sony's proprietary OpenMG DRM technology. Music downloaded from this store (usually via Sony's SonicStage software) was only playable on computers running Microsoft Windows and Sony hardware (including the PSP and some Sony Ericsson phones).

Source: Digital Rights Management, Retrieved on August 13, 2012 from Wikipedia
http://en.wikipedia.org/wiki/Digital_rights_management

Overview of the DRM Technology

DRM involves two broad components: identification of intellectual property and its enforcement. While watermarking and fingerprinting are efficient tools that enable identification of the IP, encryption plays a prominent role in enforcing the same by ensuring that the content is only used for the purpose that was agreed to by the owner of the copyright.[3]

[3] *Ghatak, P., Triphati, R.C. , Chakarvarti, A .K. (July 2004), Digital Rights Management: An Integrated Secure Digital Content Distribution Technology , Vol 9, 313-331*

The steps involved in providing and implementing DRM strategies are delineated below:

- Metatagging of the appropriate contents which are created and stored within databases
- Encryption of the information to ensure that the content is secured
- Once the user is authorized to access the content, a decrypted key is used to unblock the encrypted contents and the information is made available to the client.
- The technology that a client uses to view the decrypted information may include Acrobat Reader, Internet browser, Media Player etc. The aforementioned steps are explained in details in the following segment.

DRM FAUX PAS

- In 2005, **Sony BMG** introduced new DRM technology which installed DRM software on users' computers without clearly notifying the user or requiring confirmation. Among other things, the installed software included a rootkit, which created a severe security vulnerability others could exploit. When the nature of the DRM involved was made public much later, Sony BMG initially minimized the significance of the vulnerabilities its software had created, but was eventually compelled to recall millions of CDs, and released several attempts to patch the surreptitiously included software to at least remove the rootkit. Several class action lawsuits were filed, which were ultimately settled by agreements to provide affected consumers with a cash payout or album downloads free of DRM.
- The use of the DRM scheme in 2008's **Spore** backfired and there were protests, resulting in a considerable number of users seeking a pirated version instead. This backlash against 3 activation limit was a significant factor in Spore becoming the most pirated game in 2008, with TorrentFreak compiling a "top 10" list with Spore topping the list.

Source: Digital Rights Management, Retrieved on August 13, 2012 from Wikipedia http://en.wikipedia.org/wiki/Digital_rights_management

Components of DRM System

Primarily a DRM system has four important software components:

- Content Protection Software
- Content Distribution Server

- License Server
- Content Viewer Plug

The system is usually incorporated with an e-commerce system that manages payments and initiates the function of license server.

As stated above, the DRM process commences with encoding and metatagging of the content in the format supported by DRM software which in turn depends on the software vendor.

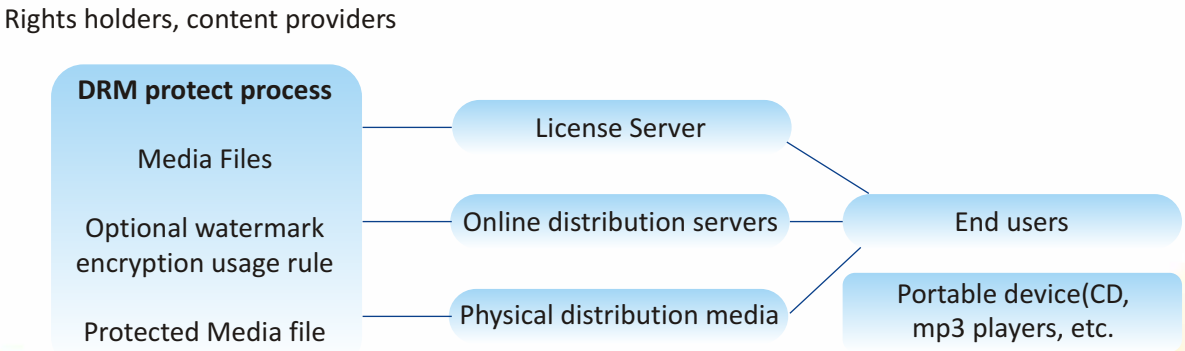
This is followed by encryption and packaging of the data. This is usually done by using special access, usage rules or a license key. The license key is saved either on a license server or on physical distribution medium like CDs/ DVDs etc.

The encrypted and protected content is then transmitted to the distribution server or may be saved on physical distribution medium. The distribution can be done by using downloading or streaming.

When the online customer downloads the protected content and wishes to receive same appropriate rights and permission for the same is communicated by the software on the end user's device to the to the end user and ultimately back to the license server.

As soon as the end user completes the formalities of registration and meets the requirements of clearing methodologies and/or payment, the DRM license handler collects the relevant information and generates the license to decrypt the information on the user's device.[4]

DRM Process flow[5]



[4]*Ghatak, P., Triphati, R.C., Chakarvarti, and A .K. (July 2004), Digital Rights Management: An Integrated Secure Digital Content Distribution Technology, Vol 9, 313-331*

[5]*Ghatak, P., Triphati, R.C. , Chakarvarti, and A .K. (July 2004), Digital Rights Management: An Integrated Secure Digital Content Distribution Technology, Vol 9, 313-331*

INTERNATIONAL TREATY OBLIGATIONS

- WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) (commonly referred to as the "Internet Treaties") was adopted in 1996, by consensus by more than 100 countries at WIPO.
- The WIPO Internet Treaties are designed to update and supplement the existing international treaties on copyright and related rights, namely, the Berne Convention and the Rome Convention.
- WIPO Internet Treaties have established the new international legal norms to respond to the challenges posed by the digital technologies and dissemination of protected material over the global network.
- The WCT and the WPPT clarify the extent of rights holders' control when works, performances and phonograms are made available to the public for downloading or access on the Internet.
- Issues related to moral rights are also given new importance in the digital environment, as the new technologies offer unprecedented means for users to manipulate or "morph" copyright works, creating rights in derivative works, and possibly infringing the original authors' moral rights of integrity.
- The WCT and the WPPT provided two types of technological adjuncts to the protection of copyright and related rights, in order to ensure that the Internet can become a safe place to disseminate and license protected material

"Anti-circumvention" provision

Such provisions relate to the need of rights holders to rely on technological measures to protect their works against infringement on the Internet. No matter how ingenious the technology used to protect works against unauthorized use, equally ingenious ways may be developed to circumvent it.

"Rights management information,"

Rights management systems operate on the basis of electronic data that is attached to the works and objects of related rights. The data may identify the author or performer, the rights holder, and the work or object itself, and may further describe the terms and conditions for its use.

- These WIPO internet Treaties require nations party to the treaties to enact laws against DRM circumvention

- Treaties have been implemented in a number of important legislative instruments, including E.U. Copyright Directive, and the United States Digital Millennium Copyright Act (DMCA)
- The E.U. Copyright Directive requires Member States to provide legal protection against the "manufacture, import, distribution, sale, rental, advertisement for sale for rental, or possession for commercial purposes of devices, products or components of the provision of services" for the purposes of circumventing technological measures, including encryption, scrambling or other copy control mechanisms.
- The DMCA, Title I, creates civil and criminal liability for circumvention of copyright protection technologies and for the knowing provision of false copyright management information or intentional removal of the same, providing a technical adjunct to the rights established by copyright law

Source: WIPO, The Impact of the Internet on Intellectual Property Law, http://www.wipo.int/copyright/en/ecommerce/ip_survey/chap3.html

Opposition to DRM

- John walker in his article *"The digital Imprimatur: How Big Brother and Big Media can put the Internet Genie Back in the Bottle"* and Richard Stallman in *"The Right to Read"* have critically criticized the prevailing technology of DRM.
- FSF (Free Software Foundation) sponsored a campaign against digital rights management and re-termed DRM "digital restrictions management", as part of their effort to highlight that such technologies are "designed to take away and limit consumer's rights, and user interface copyright.
- FSF released GNU General Public License (GNU GPL or simply GPL- a free software license. The GPL is the first copyleft license for general use, which means that derived works can only be distributed under the same license terms. The GPL grants the recipients of a computer programme the rights of the free software definition and uses copyleft to ensure the freedoms are preserved, even when the work is changed.
- Steve Jobs and Bill Gates have publicly derided DRM as an impossible mission to secure digital music files with "crippling" DRM.
- The Association for Computing Machinery and the Institute of Electrical and Electronics Engineers have historically opposed DRM, even going so far as to name AACS as a technology "most likely to fail" in an issue of IEEE Spectrum





Source: Digital Rights Management, Retrieved on August 13, 2012 from Wikipedia
http://en.wikipedia.org/wiki/Digital_rights_management

DRM free Works

- Apple Inc. has sold DRM-free music through its iTunes store since April 2007 and has been labeling all music as "DRM-Free" since January 2009. The music still carries a digital watermark to identify the purchaser. Other works sold on iTunes such as e-books, movies, TV shows, audio books and apps continue to be protected by DRM.
- Tor Books, a major publisher of science fiction and fantasy books, intends to sell only DRM-free e-books by July 2012. Smaller e-book publishers such as O'Reilly Media, Carina Press and Baen Books had already forgone DRM previously.
- Webcomic Diesel Sweeties released a DRM-free PDF ebook on author R Stevens' 35th birthday, leading to more than 140,000 downloads in the first month, according to Stevens. He followed this with a DRM-free iBook specifically for the iPad, using Apple's new software, which generated more than 10,000 downloads in three days. That led Stevens to launch a Kickstarter project - "ebook stravaganza 3000" - to fund the conversion of 3,000 comics, written over 12 years, into a single "humongous" ebook to be released both for free and through the iBookstore; launched February 8, 2012, with the goal of raising $3,000 in 30 days, the project met its goal in 45 minutes, and went on to be funded at more than 10 times its original goal. The "payment optional" DRM-free model in this case was adopted on Stevens' view that "there is a class of webcomics reader who would prefer to read in large chunks and, even better, would be willing to spend a little money on it."

Discussion and Conclusion

DRM covers disparate facets including technology, legal aspects, standardization and policy making. As the classical models of publishing have moved into the digital world, the need of technological solutions for efficient and acceptable management of intellectual property rights has assumed

significance. An efficient DRM system should enable the rights holder to have flexibility of rights in adopting usage rules and policy within the legal framework, and to enjoy the liberty of deploying these technological measures for legitimate access to copyrighted works. At the same time the effect of widespread adoption of DRM technologies in the global digital economy should also be considered.

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Image Source: www.google.com

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Digital Rights Management

Digital Rights Management



M. S. Mohammed Sadiq

Overview

Though digitization of assets provides business with a lot of benefits with respect to - ease of reproduction, distribution, storage and management; it possesses one of the greatest challenges for content communities to protect their intellectual property rights. Traditional rights management of physical materials benefited from the materials' physicality as this provided some barrier to unauthorized exploitation of content. However, today we see some serious breaches of copyright law because of the ease with which digital files can be copied and transmitted.

To meet this challenge, Digital Rights Management is widely used by publishers, authors and content developers. But, most of the DRM solutions available in the market are complex to implement and use, very costly or less effective. AEL Data develops Lektz DRM solution to overcome these hurdles and provide publishers with a easy to use eBook security mechanism.

DRM Solution

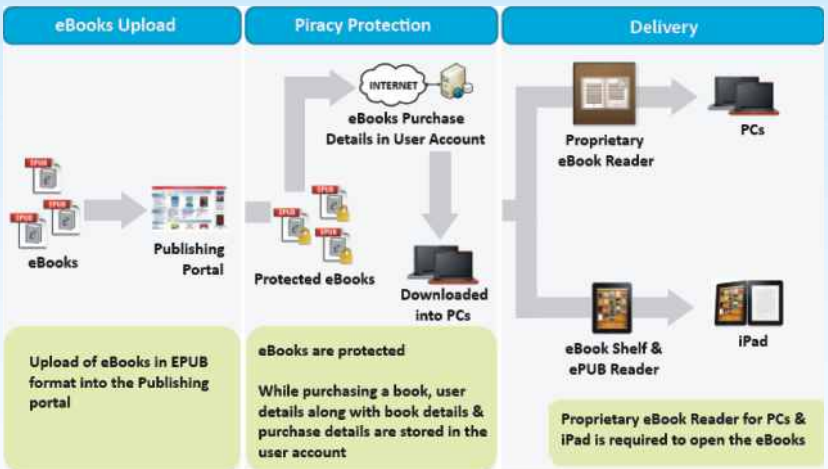
DRM stands for Digital Rights Management, which is a software system used to administer and protect the licenses of video, music and other assets in a digital environment. The DRM is primarily used to address the piracy concerns of the publishers. It is a standalone solution that can be integrated with any eBooks eCommerce portal. Implementation of DRM ensures that the eBooks purchased by a user opens only in the system from which it is purchased.

DRM technologies have enabled publishers to enforce access policies by embedding some encrypted code that prevents copying, specifies a time period in which the content can be accessed or limits the number of devices the content can be installed on.

AEL Data's Lektz DRM Solution

AEL Data's Lektz DRM mechanism is a closed system which is implemented by protecting the eBooks with an encoded secured tag and the system software, which also acts as an eBook reader (Lektz reader). To secure the eBooks, all the eBooks that are sold via the publisher's website are

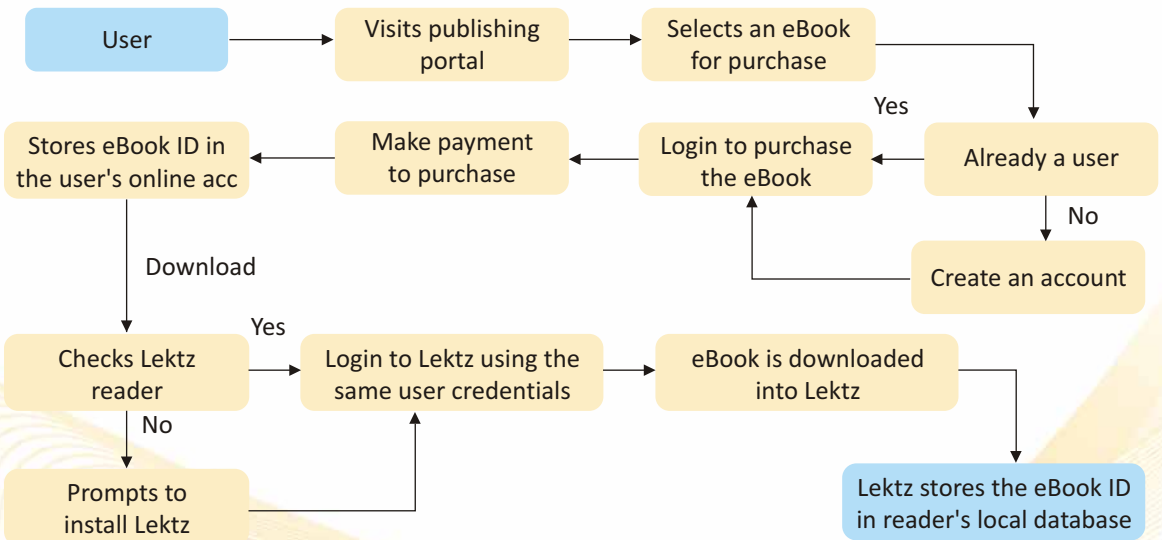
embedded with a security mechanism, and will only be permitted to open using Lektz e-reader software.



Lektz DRM Workflow

Step 1: User purchases eBook from the publisher portal using his/her login credentials

Step 2: The DRM encrypted eBook is downloaded into the Lektz reader software installed in the local system. If the software is not installed, the system will prompt for installing Lektz reader before purchasing the eBook.



Users purchasing an eBook from publisher's website

Step 3: The purchased DRM encrypted eBook can only be opened using the Lektz eBook Reader Software. This eBook Reader software offers three important features:

a. eBook Reader – An interface to open and read eBooks

b. Security Check – Verifies whether the eBook is purchased in this system or not.

c. Cloud sync- An option to share a document between multiple devices.

If the eBook is being opened using a device from which it has not been purchased from, Lektz e-reader software will prevent the eBook from opening up.

Step 4: If the user tries to open an eBook that is not purchased by him/her, then that particular eBook's details will not be available in his/her system's Lektz Reader software. The eBook will not open and the reader will prompt the user to purchase it online.

Step 5: In cases of system crash or Operating System reinstallation, the users can verify their identity with the publishers by logging into the eBook reader with the Lektz ID and sync their account details/book purchase details with the Lektz Reader installed in the system. Once the account details are synchronized, all the eBooks that are purchased by the user will automatically be downloaded into the user's system.

Key features

The key features of the Lektz DRM solution are:

- Strong encryption and decryption mechanism.
- Publishers can choose to limit the number of devices that the eBook can be opened in.
- Cloud sync
- Readers supporting the DRM are available for iOS, Android, Web and PC.
- Readers support both PDF and ePub format of eBooks. Support for ePub3 will be available soon.
- User friendly and easy integration with existing eCommerce system
- Provide complete analytics (user preferences and book purchased with sales report) of the consumer.

Business benefits

The business benefits acquired by publishers through Lektz DRM are:

- Robust security in eBook sales encourages publishers' to go digital
- Publishers can track and monitor the consumers' using consumer analytics to promote sales
- Can have their eBooks on all the platforms such as Web, PC, iOS and Android
- Maximise the digital sales
- Publishers hold the control of the eBooks accessed by users
- Can integrate easily with the existing website – no additional licensing charges
- Publishers get customised readers for free of cost in all three platforms – iOS, Android and PC.

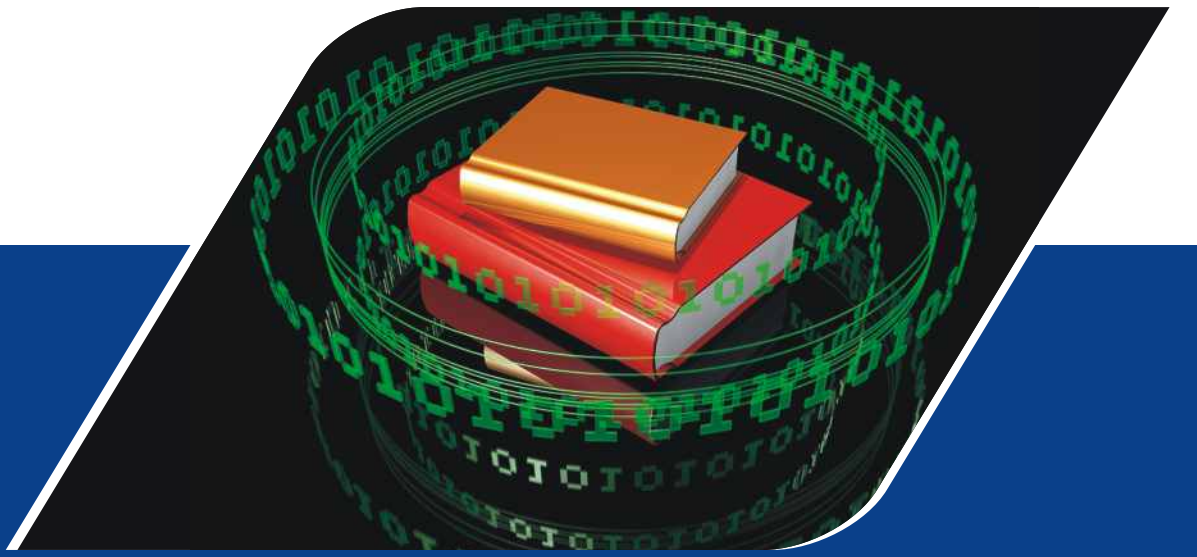
About AEL Data

AEL Data specializes in digitization, ePublishing and the design and development of software solutions for web and mobile platforms. We leverage our deep understanding of publishing and education industries – their needs, trends, competitive environments, customers and stakeholders – to offer customized solutions and services. Through the years of working with various clients across the globe our R&D team has come up with business critical products for publishing and education such as Lektz – DRM with eBook reader and LearningClix – SaaS bases LMS respectively.

For more details visit: http://www.aeldata.com/

You may also contact: info@aeldata.com

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E-PUBLISHING: THE LACUNA IN E-SELF PUBLISHING

E-Publishing: The Lacuna in E-Self Publishing



Shekhar Sarkar

The prefix 'e' is a metaphor in today's digital age that can be used to tag every digital device or digital process. A typewriter become an e-typewriter; a pen becomes e-pen; a book becomes ebook. Today's e-generation has evolved as a new breed of e-entrepreneurs and e-authors, especially in the online self-publishing business. They are hitched to the 'e' as individuals or as publishers in digital ventures, in other words as e-authors and e-publishers.

E-authors are self-publishing content creators. The content is adapted in a suitable e-book format by e-programmers in the e-publishing industry. These authors are often the erstwhile traditional writers, who would otherwise log onto their analog machines in seclusion to create content, but now, with access to digital processors, have ventured into creating digital content and uploading it on digital platforms for virtual reading. Instead of the traditional route through literary agents or submissions to publishers, authors can now get into self publishing through the e-publishing gateway.

They may be called e-solopreneurs in their e-entrepreneurship, and e-authors as writers for e-books, but there is always some lacuna in self-publishing. Inadvertently, something goes amiss even for a traditional writer or a publisher; especially, when they venture out into the virtual domain with new opportunities and evolving technologies in e-publishing. Not all e-publishers or self-publishing authors are successful.

Indeed, they are often at a loss in the perplexing e-maze within the vast virtual world of e publishing jargon; in virtual content creation; in e-marketing and in e-management in a market where e-monopolist trends have emerged, making it difficult for new players to compete in e-publishing with the e-corporate giants like Amazon.

Self publishing authors are often though not always - debut authors, who foray into the digital business and e-publication because of a growing awareness of ebook opportunities but often, they have little e-business sense or e-technical skills.



The *solopreneurs*, as they are rightly named, learn through short introductory courses on 'how to', they look at web information and authors' forums, and turn to the self-help web community before venturing into e-publication as e-authors.

The fledging e-publishers too, are undergoing a phase of e-preneurship in the *'how to e-publish'* dilemma. E-publishing does not only mean creating e-format text content, but also streaming the content with other formats, selecting the right marketing e-platform to distribute and sell to the e-savvy readers in an ebook market that is flooded with numerous apps and reading devices.

The only common file format is *epub* used in many ebook formats. It is a free open and standard format. The *mobi* is another with extended apps available in many publishing programmes; Adobe Digital Publishing Suite as *folio* works to create content for Apple's iPad tablets and apps, while *azw* is the e-book file format proprietary for the Amazon Kindle-the recent arrival being HTML 5.

Some of the popular e-readers are: Amazon Kindle: Kindle, Kindle Touch, Kindle Fire : Barnes & Noble Nook: Nook 1st Edition, Nook Simple Touch, Nook Color, Nook Tablet : Kobo Sony Reader : Apple iPod . All the e-publishing companies offer self-publishing services to authors with their own compatible readers and apps.

'Who' has 'what' e-devices, is another e-marketing dilemma.

The business of writing for publishing begins with content creation on ink and paper, or in modern times with the advent of digital technology, in the use of a more versatile digital processor in any text format, such as on word, Mac or PDF for traditional print publishing and digital conversion.

However, in the business of e-publishing by an author, to venture into ebooks is tempting because of the possibility of getting published instantly. It can also be more lucrative, with high royalties offered by some e-publishing companies. But these expectations are not always met, as there are many pitfalls along the way, and most authors are ignorant of many of the processes of e-publishing.

In solo-preneurship as self publishing authors, the synergy in digital publishing and marketing strategy must include a plan to build a reputation for quality, reliability and trustworthiness . An author must determine what the readers want, and he/she must be able to show talent, patience, perseverance, and to work hard the dividends will come eventually. Instant publishing does not mean instant success. Exceptions exist for some established authors or for the few internationally acclaimed e-authors with talent or with awards; but the self- publishing venture is never always a wise decision.

When ebooks are priced low, they have to sell in high volumes to earn profits. This is a bit of a paradox for self published authors the inverse market relation to profit means that the higher the price, the



higher the royalty, but volume sales are likely to be low, and with low prices, royalties will also be low but volume sales are likely to be higher. There is also the option of online web browsing only, or downloads on e-readers and apps such as Epub bi ipad/Books, Nook, Sony reader, Kobo, Stanza, Aldiko, Adobe Digitab, pdf, RTF, Android etc. The POD-Print on Demand is another e-publishing venture.

Today ebooks are read, using ebook reader software applications. Apps are such software programmes that can run on ebook readers or tablets. Apps can be application software for games, and be also ebooks apps. In general, readers do not want to have a separate app for each ebook on their device. This is the dilemma of e-publishing and e-marketing in the fast developing application software technology.

It therefore requires a techno-preneurship plan in e-preneurship to e-publish in multi processes, to create content for e-publication, to distribute and sell ebooks as an end product, not only in e-text format, but sometimes to include graphics, sound and video clips for the e-readers, who have numerous choices to pick from. The recent format is the versatile HTML5 from Kindle, with multiple applications selected by e-publishers for e-publication.

E planning for policy decisions to make the right choice in adapting a plan strategy is the first step to e-publishing and e-marketing. Publishing is a business of entrepreneurship with constant innovations and risks. It is a business of numbers that begins with a marketing plan even before the content is prepared; this is followed by surveying the niche market, where ebooks of a particular category or a sub category sell in a volatile competitive market, both in specific regions, and globally, which becomes a formidable task for e-publishing in the rapidly changing technological innovations.

It becomes difficult to estimate budget revenues and predict sales in numbers, making the e-publishing endeavour either a challenge or a futile e-preneurship attempt, to enter the portals of e-business in e-publishing and e- marketing. E-publishing is the synergy between e-preneurship and e-business, and overlaps with traditional business. It means being a businessperson first.

Traditional publishers however, have an edge in their marketing network and strategy, with feedback from the niche market, where they have a market presence. They know what sells within a region from past experience and they use this to make estimates of future sales; but in the e-world, the predictability of numbers is a gamble, especially in e-publication of eBooks.

The traditionally established publishers, in their conversion plan from the text format publishing to an e-publishing format, have a formidable task in the conversion process itself; and a more complex task, not only in the strategic shift in marketing plans, but also the content management system in a different global vendorship and readership market. There are numerous complex problem areas at

each stage in e-publishing; - from the creation of content in the right digital format, to delivery , to multiple publishing channels with standard tag universal markup languages, such as SGML-Standard Generalized Markup Language, XML- eXtensible Markup Language, HTML-Hypertext Markup Language that allow proper delivery and translation into XML-print products, HTML-Websites, WML-Wireless products for the web, or devices for reading eBooks for the multimodal end user. The recent addition is HTML 5 from Kindle

In the presence of global e-giants like Amazon, the Indian e-publishing industry can move into the international arena through surrogate service providers and e-marketing corporates only, until the e-monopolist trends in e-publishing give way to an open competitive free e-market system .

It may take another decade in self-sufficiency and efficiency in e-marketing with the Indian advantage of a strong IT resource potential, to challenge the e-monopolist cartel. The Indian e-publishing industry has to tread on a cautious path and to learn from the other global e-market players.

With the appearance of new apps every day in the e-market, the reader segment is eclectic in the competitive environment and has many choices, not only in the numerous devices, but also the ebooks flooding the ebook stores. A cost analysis with the probability of a lower rate of return on investments often acts as a deterrent in planning for e-conversion and e-marketing plan, even by some established publishers.

The publisher has to create new formats for each epub and mobi, even if the content is in a fixed formatting like PDF on a readable screen for cell phones and ipads. At present only kindle and Smashwords provide compatible formats for epub and Mobi. The ipad alone has more than 2,00,000 apps in the app store today, with more being added each day. It is an e-jungle market out there with a 'junglee' on the prowl!

In the e-publishing market, the largest market share of about 60 per cent plus is with Amazon alone with mobi/KF8, and along with five other big e-publishers in the fray with a strong e-market global presence and an e-monopolist trend. The newer e-publishers have an almost negligible or miniscule hold in the e-publishing market. The Indian scenario is dismal in its infancy, crawling in the global race where the e-publishing opportunities have no limits.

With the steep cost involved in text content development, editing, designing, formatting and uploading on to the vast digital world, where the a new ebook is placed, the task of finding a nice in the global market is a formidable one, but it is not impossible.



The strategy of campaigning, inbound social marketing, interviews on TV networks, launching the ebook with simultaneous print runs are some of the post-publication traumas that often become detrimental to promotion strategies, especially when the author as e-publisher has to promote the ebook himself on websites, blogs, and community sites to target specific groups in strategic inbound social marketing.

Even if the author opts for big players like Amazon, Barnes & Noble, iBooks, Kobo, Sony, Smashwoeds, Waterstone or other e-platforms to upload his eBook, it is the author's effort that will promote sales.

For the e-preneur the content has therefore to be made intelligent. It must be tagged, consolidated as a single repository, flagged for reuse and delivery in multiple channels. This requires expertise. A self e-publishing author would be at the total mercy of the corporate e-publishing and e-marketing giants or has to be ready to pay for professional services.

For the e-publisher a content management system is a necessity. It is the core area of processing and organizing content like text, graphics, multimedia clips with numerous tagging applications in XML,HTML, etc., as one time content repository for multiple applications in multichannel e-publishing delivery in Web, print, PDF,

CMC is a comprehensive management system with component repository and delivery systems that accommodates storage and delivery of content in an efficient way. The WCM specializes in delivery to Web. DM manages the whole data, while specific content, like digital storage and delivery of graphics, multimedia and their metadata is through DAM-Digital Asset Management. Similarly, ECM of Enterprise Content Management, manages all the enterprise content such as emails, business documents, etc., throughout the entire CCM- Component Content Management, also named XML-CM. XML content management works at component levels for storage and delivery to multi channels such as text, pdf, web, mobile devices, etc.

The second problematic area is e-marketing of ebooks; here, a strong global presence now helps in e-marketing. The e-publisher has to devise a promotional strategy, by social marketology on social media marketing platforms like Twitter, facebook, BlogSpot, wordpress etc, to establish a presence and a brand identity or personality. This includes identifying goals, intelligent objectives, and aligning social metrics with business metrics.

With Search engine optimization plans, it is possible to articulate e-marketing in the global adaptation by end users that offers opportunities to influence and engage with the consumer directly, something that would have been unimaginable earlier by big publishing companies in their traditional advertisement and promotional plans. The Indian e-preneur in e-publishing must utilize the maximum opportunity on the global platform, if he/she desires to find a niche in the global e-market.



There are both advantages and disadvantages to e-publishing over traditional printed books. The author and the publisher find it a lucrative proposition as the investment for uploading is negligible compared to the print version. The publisher takes the risk of accepting any untried author with faster publishing time, compared to the traditional print version. There is the option of changing the content in e publishing with updates and even uploading the book electronic jacket for better marketability. There is also no limit to the length a manuscript can be. The author has better moderation in getting himself self-published, but the lacuna of self publishing overweighs the advantages.

Business games are often learnt from other e-market players in the intriguing game play. The Indian e-publishing industry cannot remain a mere spectator it has to play the game. The self e-publishing author has to be the most dexterous player, in not only content creation, but also updating e-knowledge and e-marketing.

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Monetizing Content in Digital Age

Monetizing Content in Digital Age



Priyanka

Publishing, which existed until recently only in print, has been given a new life by the world wide web (www). The entire game has changed as a result of this. The key asset that publishers create in the course of their business – content - either by way of aggregating information or creating their own IPR in printed works, has remained with them. How can they monetize this content in the new world of publishing?

Simply put, monetizing content means *making money by harnessing your content through various forms and methods.*

To understand and segregate the opportunities and methods of monetizing content, publishers can be divided into the following two categories:

1. Print publishers who have not yet moved into the digital space

2. Publishers who are present both in print and the digital space.

Case for Print Publishers to Encompass and Make Profit from the Digital Media

The internet presents both the biggest threat and the biggest opportunity that the print industry has ever faced. Publishers who embrace the opportunity will be able to use their knowledge, resources and skills to expand faster than they have ever imagined.

Advantages that online publishing offers:

- Online publishing does away with many costs associated with print publishing, for example typesetting, printing, paper, postage, stocking etc, as a result of which it is far more viable. The economies of scale do not need to kick in and thus publications can be taken out for few subscribers, as for example in POD- 'print on demand'.



- The cost of delivery on the internet is a fraction of offline distribution costs (paper, postage, tracking) and online distribution charges continue to fall as storage, hosting and bandwidth get cheaper.

- The content can be archived and is searchable in an online database, thus giving the users speedy access to past data and ease of use.

- Content can be provided in real time to the users. One does not need to wait for the next issue to publish something important or otherwise. Print cannot compete with the speed of online publishing.

- Online being a dynamic medium enables interaction between members through discussion groups, forums, blogs etc. This turns passive readers into contributors and members with greater loyalty.

- Web is where the content comes to life with the provision of audio and video formats. And publishing multimedia on the web is simple and affordable.

- Online media helps publishers reach new audiences as the marketplaces for digital editions, mobile apps and e-readers clubbed with the power of search and social media, open up new audiences.

- For a print publication to go global has significant cost implications. Online a publisher can make niche subjects commercially viable and use the online marketing tools which are free or low priced to reach out to a wider audience globally. For example, a simple PDF-based digital edition provides low-cost international reach

- It is possible to track and analyse customer usage thus giving publishers an insight into what a customer wants, enabling them to focus in those areas and doing away with content which is not popular.

- Speed to market in online is much faster than print where it requires months of planning and execution. An idea can be given birth online in matter of few days. .

- Online content is available 24/7 anytime, anywhere.

- Online medium is not strapped with the limitation of number of pages and thus the depth and breadth of content which can be published is virtually unlimited vis a vis print which is restricted by number of pages a volume can carry.



- Digital editions of newsletters etc., give the users an option of reading them online and thus saving the environment or taking a print out of relevant portions only.
- Online content can further be distributed through other digital media.
- Digital editions can include web links, competitions and video, engaging audiences beyond pure content, and enabling publishers to collect user data.
- There also is an opportunity to grow print sales with the extra reach, awareness, visibility, PR, word of mouth that digital media provides, reminding people of publishers' core print product.

Syndication

Traditional publishers who are not keen to venture into the digital space because they are not tech savvy and find it difficult to migrate to digital platforms, have the opportunity of monetizing their content through syndication. Syndication is licensing your content to other players.

The publisher may choose to license his content to be disseminated online, on CD ROM, through tablets, handheld devices, book readers etc.

Licensing is a win-win option for both the publisher and licensee. The publisher gets an additional source of revenue for the same content without any extra investment and the licensee can accelerate their speed to market.

Licensing also brings to the fore printed works of renowned authors. The print works authored in the pure print era were far superior since authors undertook titles with a passion for writing and not for circulation numbers and fame alone.

The logical transition for the print publishers is to expand their businesses online since many predict that online publishing will do to offline publishing what email has done to traditional mail. It is not a matter of If but When. But to be successful, traditional publishers must understand the differences between the two mediums. They should not make the mistake of replicating what they do offline on the internet and recognize the fundamental difference in the two medium.

Methods of Monetization

Content monetization is not a new concept and there are a variety of business models currently used for it. For the online players the option of monetizing is only restricted by the innovation of their thoughts.



Some of the models being used since the advent of the web are:

Consumer-paid Models

- *Subscription:* Users subscribe to content for a monthly or annual fee.
- *Transaction:* Pay per view
- *Metered:* Content is free until a user reaches a certain threshold, such as number of articles or videos viewed or based on the duration of time viewing.

Funded Models

- Syndication: Other businesses license content.
- Ad-supported: Content is completely funded through ads.

Hybrid Models

- Freemium: Most content is sponsored through ads and provided free while access to premium content is paid.
- Cross Marketing: Content given away for free in one channel to drive purchases in another channel

Technology is being leveraged and there is no limit to which it can be harnessed. As a result we have host of new products that help online players monetize their content (source: thenextweb.com)

- **Skimlinks** - "Unlock the cash in your content". The technology works by converting links and product references into affiliate links that take you to places to make a relevant purchase.
- **Cleeng** - This works by hiding portions of your content that can only be unlocked if you pay a small fee.
- **Infolinks** - In-Text advertising is a method of online advertising that inserts text link ads within the content of a website. Each time your website visitors click on an In-Text ad, you get paid.
- **VigLink** - Very similar to Skimlinks, VigLink uses a thing they call LinkWeaver to connect merchants with existing product references.
- **PivotShare** - This rewards authors and publishers with revenue based on how much a particular community has interacted with the produced content.



Another fast emerging and widely used strategy is *"content builds your audience, then you monetize that audience."*

Idea is that specialist content given free helps build an audience of people with a common interest who can then be sold related services. Once you have an audience who trusts you, offer them as many paid services as you can, related to your niche subject including premium content, downloadable products, books, courses, events, travel, insurance, special deals, unique deals, etc. Freemium content is used to get listed in the search engines and to build an audience of people with a common interest.

Technology providers, who have previously focused on managing and measuring content, are adding monetization capabilities to provide more integrated offerings. Some examples include Kaltura, Ooyala and Origin Digital which all focus on video, BAMM.tv for music, and Adobe, which is weaving capabilities to achieve monetization into its digital media and digital marketing products.

For media brands and publishers to actively compete in today's digital world, they must look towards new and innovative ways to drive a profit from their content. Emerging social media networks, such as Pinterest, are helping uncover new content monetization opportunities through solutions such as Skimlinks or VigLink, which we have talked about. New social gaming solutions such as Badgeville, Bunchball, and SessionM are providing media brands a platform for streaming ads to users incentivized with rewards for viewing, engaging and sharing.

It's time for the publishers to look beyond their traditional business models to find new ways to monetize their content. Many traditional publishers left the transition too late and have closed down. Others are resorting to the courts and government to protect their content. Meanwhile, the more forward looking are working hard to make their online offerings a profitable and growing part of their business.

With a bit of creativity and entrepreneurial focus a publisher can create many additional revenue streams to maximise the profit he makes from his content. Thanks to the digital age publishers today have an opportunity of leveraging their IPR and increasing their return on investments.

www.manupatra.com – Pioneers in online legal research in India.

Manupatra are the leading law publishers and provider of Legal, Taxation, Corporate and Business Policy databases in India.

Manupatra is one of the few companies which did backward integration in legal publishing space. It has monetized its content purely in a non advertising space. It started off with launching their online

database www.manupatra.com in 2001 which is its flagship product. In 2004 they monetized the online content and ported the same through CD ROM's to emerging markets where there was an issue with internet connectivity and power situations. In 2006 the company forayed into Print by bringing out print journals on contemporary topics. The content in all the three mediums is the common. It has been structured differently for each media and the dissemination platform is the only differential. The online content is further monetized by bringing out e-books, email alerts, desktop alerts and digital edition newsletters .

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Publishing and the Future, of Digital Formats: A Few Thoughts

Publishing and the Future of Digital Formats: A Few Thoughts



Jaya Bhattacharji Rose

As a mother, I'm both impressed and alarmed at how easily my daughter uses the electronic gadgets. As a publisher, it makes me think a great deal about the hullaballoo over the electronic vs print/traditional publishing debates that dominate the media. I am not convinced that it is a "versus" debate. In fact Peter Booth Wiley, Chairman of the Wiley Group, believes the future represents a "blended environment". David McKlay, Senior Curator of the John Murray Archives at the National Library of Scotland, greatly experienced in the use of archival technology for libraries has a different point of view. Although he hasn't been directly involved in the current publishing industry, he has been engaged with the use of technology in promoting access, interpretation and the use of an historic and paper-based archive and print collection. Consequently, the National Library of Scotland has digitized a small (c.17,000 images) but significant amount of material and uses these images in a number of ways: their website and specific applications such as the interactive display on Charles Darwin's *Origin of the Species* (1859) (History of the book feature), the John Murray Archive exhibition showcases digital images, flash animation and voice recording to present original material in innovative and engaging ways.

When I asked him about the future of publishing, especially in its new avatar of a blended environment, McKlay said that, "the key challenge and opportunity of current and future technology in publishing is to address the changing literary and reading habits. By this I mean addressing how people read – how they browse, absorb and interpret information. No longer can one expect the general (or indeed the specialized) public to read large amounts of linear text (in whatever format). We need to layer information and make it available in a variety of ways." The implied challenge, he believes, will appreciably expand the potential interested readership and offer them a greater learning experience. While this doesn't signal the end of the traditional print culture it will continue to run parallel with modern technology publishing, while continuing to grow (as it has always done).

The internet and the blogosphere also provide a range of opinions and at times provide a platform for literary tastemakers to inform and shape the discourse. It is claimed that over 62 per cent of people read online reviews, yet it is important for publishers to continually create, evolve, adapt and experiment with new forms of delivering content. At FICCI's Publicon the range of discussions on



different aspects of digital publishing could also consider working on collaborations for the future. Recently *Publishers Weekly* carried the news that all of Ursula K. Le Guin's six-book fantasy series -- with "an atypical publishing history, confounded by several company mergers and acquisitions over the decades" – set in the realm of Earthsea, written between 1968 and 2001 would be reissued all together on 12 September 2012. The unusual aspect is that this is a collaboration between Houghton Mifflin Harcourt and Simon & Schuster. Today with books available in a variety of formats, targeting different audiences makes it an exciting challenge for publishers to nurture existing readerships and discover emerging ones. Anil Menon, author of The Beast *with Nine Billion* Feet says "reading might [in future] be a social act. A print book enforces a solitary experience. But I've noticed that when I'm reading on the Kindle, I can access other people's comments if I feel like it. The solitary reader may be a thing of the past. Books written to facilitate social reading might be different from books written for the solitary reader. Children's books– very young children– are already designed to be read by parents and children together. I can imagine books for teens written to be enjoyed in a group." All these factors can only add up to the growing significance of the reader, who forms the market. The variety of formats will only help in discovering, broadening, strengthening the markets for books.

The Learning Curve

Last year at Publishing Next where I chaired a panel on digital publishing I said "We need to recognize that the Internet has brought about a democratization of knowledge and accessibility, and the publishing industry, as we know it today – and I mean globally and not just in India – which is unique and has its own self characteristics, is undergoing a very severe test, albeit a challenging and an interesting one. Right now the Internet is creating this churn where we think that we don't know where digital books are; there is this frontier mentality existing which says that anything goes. So publishers are concerned about quality control. But publishers will always be there, they will be required: publishers who are specialists, who are good at their jobs, and not specialists in terms of just digital technology. What the publishing industry has to realize is that the churn we are experiencing today is similar to what the music industry went through at least ten years ago. As in the case of vinyl records, that are now considered out dated, the music industry is creating new package deals. If you want a collector's edition of a vinyl record, you get the entire package deal of the iPod download etc. for free. But you buy that at a premium. Thus, what publishers have to do is concentrate on new business models, adapt to the new, changing, publishing ecosystem, and learn from examples in other industries. And also be very clear about the business of it. It is a misconception that e-books are cheap, but they require the same amount of labour as a print book. However, what is different is that the Internet and e-book/digital publishing gives a person the opportunity to self-publish. And when you get that opportunity, it means that your income streams and business models change. You don't necessarily need a publisher who will only give you a 10 or a 20 per cent royalty. Amazon is different because they

were pioneers and so they are giving 70 per cent. But the point is that you can still earn. There are a lot of questions, a lot of opportunities, but let's see where we go from here."

Note: This article is based on my columns featured in *Businessworld* online on 7 April 2012 and *Books & More*, June-July 2012.

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