

Publishers Are Changing E-Book Access for Libraries

It was a dark and stormy morning...

You run to your car through the rain to start your drive to work and open your favorite e-audiobook app for some rush-hour listening. To your dismay, the audiobook you purchased has vanished from your library. After dinner, the rain still falls as you settle into your favorite chair with a cup of tea to finish the thrilling ebook you bought last week, and you discover it too has vanished from your e-reader's library. You search for the missing titles and find your ownership has expired and you must purchase them again, and the price has risen to \$60!

As a consumer this has likely never happened to you; when you buy an ebook you assume you'll own it forever and the prices are roughly comparable to the price of print books. But publishers have different prices and rules for libraries which determine how long we can own a copy. And now Macmillan Publishers is restricting libraries to one copy of all new titles for the first eight weeks after publication. These policies imposed on libraries by publishers create challenges as we strive to purchase sufficient digital copies to minimize wait times and meet the increasing demand for these formats; at Bridges in 2018 ebook use increased 18.6% and e-audiobook use increased 22.7%.

Libraries No Longer Own eBooks and e-Audiobooks

When a library purchases a digital copy of an ebook or e-audiobook, the publisher determines how long the library is allowed to own that item before it must be purchased again. This is called metered licensing. A perpetual license allows the library to purchase a digital copy once and own it forever, a situation which is becoming increasingly rare. Most major publishers have recently adopted a metered license policy where each purchased copy expires after two years, and some publishers also add a limit on the number of times a digital copy can be checked out before it expires so that very popular titles may expire before the two years have ended.

The publisher's intent with metered licensing is to approximate the wear-and-tear which a physical copy would get through repeated use, wear-and-tear that does require libraries to decide whether to remove or replace worn out physical copies. In that context the two-year metered license doesn't seem entirely unreasonable, until you factor in the significantly higher prices libraries pay for ebooks. Metered licensing also means that older titles simply vanish from our collection because we can't always afford to replace those titles due to the high prices and the need to spend our limited funds on copies of newer, more popular titles. This robs our patrons of a rich back catalog of titles which are just as fulfilling now as they were when they first came out.

Macmillan Publishers has made an already difficult situation considerably worse with a new policy which prevents libraries from purchasing more than one copy of all new ebooks and e-audiobooks for the first eight weeks after publication. This will result in pent up demand among Bridges patrons who will wait even longer for new titles from Macmillan, titles by authors like John Grisham, James Patterson, and Nora Roberts. With a checkout period of two weeks for ebooks, only four patrons will be able to check out the single copy of new Macmillan titles while the library waits for the eight-week

purchase embargo period to end. This shortsighted policy is detrimental to both libraries and to the community of book consumers that libraries foster and publishers need.

Libraries Pay Much Higher Prices For eBooks and e-Audiobooks

Many patrons assume libraries pay the same price for ebooks and e-audiobooks that consumers pay. This is true for print books, where libraries receive discounts comparable to the discounted prices one sees on Amazon. But it is not true for e-copies where libraries pay three to five times the consumer price. To illustrate this, let's put together a shopping cart of the September 2019 top 5 New York Times fiction bestsellers and compare prices.

Per copy prices for consumer vs. library copies September 2019. Consumer prices are from Amazon. Note that a two-year metered license also applies to all of the ebook copies and most of the e-audiobook copies.

Title	Consumer ebook	Library ebook	Consumer e-audiobook	Library e-audiobook
The Institute by Stephen King	14.99	59.99	14.95	99.99
The Testaments by Margaret Atwood	14.99	55.00	14.95	95.00
Where the Crawdads Sing by Delia Owens	14.99	55.00	14.95	66.50
The Goldfinch by Donna Tartt	11.99	65.00	14.95	65.00
The Titanic Secret by Clive Cussler	14.99	55.00	14.95	95.00
Total cost	71.95	289.99	74.75	421.49

Once you multiply these prices by the number of copies we need to purchase to satisfy demand, the prices become prohibitive. For example, Bridges has purchased 50 ebook copies and 34 e-audiobook copies of *Where the Crawdads Sing* at a cost of \$4,977. And to satisfy demand we honestly need to purchase even more; over 1000 patrons are waiting to check out an ebook copy and 728 patrons are waiting to check out an e-audiobook copy. The popularity of this title is an extreme situation, but it's easy to see ebook pricing is a challenge for our collection budget; spending \$5,000 or more on a single title restricts the number of other titles we can purchase.

You can help!

The prohibitive pricing and unfavorable contract terms put libraries in a difficult position with little leverage for negotiation. The only way for libraries to exert economic pressure would be to boycott publishers who impose the policies which are detrimental to our ability to provide materials to our patrons. Unfortunately, this isn't a realistic option unless we want to deny our patrons access to the authors and titles they want most. Macmillan is not the only publisher making their licensing terms more difficult for library collections. And while some patrons would be able to purchase their own copies, many wouldn't have the means to do so; we would be failing in our mission to provide equitable access to all if we stop buying these titles.

What libraries are doing is registering our protest to these unfair policies with a united voice. And we encourage you to add your voice as well. Publishers need to understand that libraries foster an active community of readers and those readers are the people who purchase books. Libraries don't harm publishers; we help them.

Let your voice be heard by joining with the American Library Association, Public Library Association, Urban Libraries Council, Canadian Urban Libraries Council, and even ebook platform companies like Overdrive, in strongly opposing the increased restrictions on digital library lending, especially the new Macmillan eight-week purchase embargo and the recent elimination of perpetual licensing by all of the major publishers.

The easiest way to let your voice be heard is to sign the petition at ebooksforall.org. But you can also contact Macmillan publishing directly by emailing press.inquiries@macmillan.com.

Read more news about publisher restrictions and policies affecting your library access to ebooks and e-audiobooks at the Urban Libraries Council's Fair E-Book and E-Audiobook Lending for Libraries (<https://www.urbanlibraries.org/member-resources/fair-e-book-and-e-audiobook-lending-for-libraries>) information page.

Original blog post by Nathan James, Deputy Executive Director of Central Arkansas Library System. Updated to reflect Iowa (Bridges) information. (10/17/2019) (<https://cals.org/blog/publishers-are-changing-e-book-access-for-libraries/>)