



Shame on You, Amazon

The Kindle maker should never have backed down on TTS

A year ago, Amazon released its e-book reader, Kindle 2, a portable device onto which users download books and other printed materials. Kindle, like other e-book readers, such as Barnes & Noble's Nook and Sony's Reader, offers ease of use in that the devices are thinner and lighter than traditional books, and users can download multiple books onto the device instead of carrying the individual print copies, making it more convenient.

One of Kindle 2's features, which was not available on its predecessor, is text-to-speech (TTS) to read the printed words aloud. With TTS on Kindle 2, the more than 30 million people in the United States who are print-disabled because of blindness, dyslexia, spinal cord or brain injury, or other conditions that preclude them from reading text, holding a book, or turning its pages are now able to read, learn, and enjoy the printed word; they can participate more fully in society.

One might imagine authors and publishers would be thrilled with the addition of this new technology because of its potential to increase sales exponentially. But imagination is for fiction. Instead of lauding this new technological integration and welcoming a burgeoning new market, the Authors Guild and publishing houses have demanded Amazon remove the TTS feature from Kindle 2. Amazon acquiesced, allowing publishers the option of disabling TTS on their books.

The Authors Guild states that using TTS in e-books without paying extra for it is against the law. Publishing companies, including Random House, have sided with the guild, disabling TTS on many e-books.

Interestingly, the guild has no quarrel with consumers using TTS to read books on traditional computers. Nor does it object to users manipulating font size on Kindle. The guild is also OK with humans reading e-books aloud. It believes, however, that authors are entitled to additional royalties if Kindle's TTS feature is used.

Contract Violation

Stating that authors' contracts include only display rights, not audio rights, for e-books, the guild believes using TTS infringes on an author's right to collect a royalty for the audio playback and, as such, violates the author's e-book contracts. Audio rights, however, typically refer to making a recorded presentation, such as an audiobook. But TTS in e-books is not the same as audiobooks, which are

professionally produced performances of literary works, voiced by real, live humans, replete with dramatic intonations.

"Audiobooks are a \$1 billion market," said Roy Blount Jr., president of the Authors Guild, in an article on the guild's Web site in which he could have been intimating that e-books and audiobooks are one and the same. Perhaps the guild is intentionally trying to confuse consumers by implying the products are synonymous, or perhaps it believes Amazon, instead of authors, is benefiting from the audio rights. Maybe the guild is concerned that as TTS becomes more natural-sounding it will more effectively dramatize the text, competing with sales of audiobooks. The guild declined to comment, so it's hard to say. (Amazon and Random House also declined to comment.)

The modulation of the human voice found in audiobooks, however, is not always a selling point. Many readers dislike audiobooks precisely because of the inflections and would prefer to purchase books that could be read with the more monotone TTS. "I prefer to hear the voice without expression," says one reader, "because it allows my imagination to step in and do the work." The inclusion of TTS with e-books might cause these readers to opt for an e-book *instead* of an audiobook, but no one is losing a sale.

A basic tenet of contract law is the court will not enforce a contract that is against public policy. Reading increases creativity, improves comprehension and mental acuity, and allows print-disabled people to participate in social experiences that most people take for granted. For the first time TTS offers people with print disabilities the ability to read. Denying this ability is against public policy; it discriminates by making it more difficult for a class of individuals to participate fully in society.

"The disadvantaged and disabled shoulder enough heartache and disappointment just getting through daily life," says disability law attorney Frank Darras. "The text-to-speech function sounds like a lot of noise about nothing unless you're one of the millions of print-disabled. Amazon should be corporately ashamed for adding insult to its print-impaired customer base."

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In my next column, I will address some of the Authors Guild's other contentions. ☒

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Robin Springer is president of Computer Talk (www.comptalk.com), a consulting firm specializing in the design and implementation of speech recognition and other hands-free technology services. She can be reached at contactus@comptalk.com.