Amazon Sued over Kindle Deletion of Orwell Books

TIM KLASS, Associated Press Writer

(AP) -- A high school student is suing Amazon.com Inc. for deleting an e-book he purchased for the Kindle reader, saying his electronic notes were bollixed, too.

Amazon CEO Jeffrey P. Bezos has apologized to Kindle customers for remotely removing copies of the George Orwell novels "1984" and "Animal Farm" from their e-reader devices. The company did so after learning the electronic editions were pirated, and it gave buyers automatic refunds. But Amazon did it without prior notice.

The lawsuit seeking class-action status was filed Thursday in U.S. District Court in Seattle on behalf of Justin D. Gawronski, 17, a student at Eisenhower High School in Shelby Township, Mich., as well as Antoine J. Bruguier, an adult reader in Milpitas, Calif.

Patty Smith, an Amazon spokeswoman, said the Seattle-based company was aware of the filing but does not comment on pending litigation.

The case seeks unspecified damages for all buyers of e-books that Amazon deleted from the Kindle as well as a ban on future deletions.

The lawsuit said Amazon never disclosed to customers that it "possessed the technological ability or right to remotely delete digital content purchased through the Kindle Store."

Most Popular on ECNMag.com:

- Greenpeace Vandalizes Hewlett-Packard HQ **[1]**
- Nissan Unveils New E-Car Prototype **[2]**
- Palm Strikes Back: iTunes Re-enabled on the Pre **[3]**
- Who Owns Your Books? **[4]**
- AT&T Opens Can of Worms with Blocking of 4Chan **[5]**
- Amazon.com CEO Apologizes for Orwell Incident **[6]**
- NASA Image of the Day - Spacewalking **[7]**
- Digital Property Rights: Renting vs. Buying **[8]**
- Government Considers Seven States for Mercury Site **[9]**
- New eBay Program Aims to Reward Good Sellers **[10]**

Bruguier complained to Amazon repeatedly after losing his copy of "1984," appealing in vain for that or an authorized edition to be restored to his Kindle, according to the lawsuit. "I thought that once purchased, the books were mine," he wrote.

Gawronski told The Associated Press he was assigned "1984" for an advanced placement course in which students must turn in "reflections" on each 100 pages of text when they return from summer break, then take a test. He was a quarter to halfway through the book when it disappeared from his Kindle.

His notes on the book were "rendered useless because they no longer referenced the relevant parts of the book," according to the lawsuit.

Jay Edelson, a Chicago lawyer who filed the lawsuit, said in a news release that Amazon's actions could have far-reaching consequences if allowed to stand.

"Amazon.com had no more right to hack into people's Kindles than its customers have the right to hack into Amazon's bank account to recover a mistaken overpayment," Edelson said. "Technology companies increasingly feel that because they have the ability to access people's personal property, they have the right to do so. That is 100 percent contrary to the laws of this country."

Source URL (retrieved on *07/10/2014 - 3:09am*):
http://www.ecnmag.com/news/2009/07/amazon-sued-over-kindle-deletion-orwell-books

Links:
[1] http://www.ecnmag.com/news-Greenpeace-Vandalizes-Hewlett-Packard-072909.aspx
[2] http://www.ecnmag.com/news-Nissan-Unveils-New-E-Car-Prototype-072809.aspx

[3] http://www.ecnmag.com/article-palm-strikes-back-072409.aspx
[4] http://www.ecnmag.com/article-who-owns-your-books-072709.aspx
[5] http://www.ecnmag.com/news-att-blocks-4chan-072809.aspx
[6] http://www.ecnmag.com/news-amazon-orwell-072409.aspx
[7] http://www.ecnmag.com/blog-spacewalking-072709.aspx
[8] http://www.ecnmag.com/article-digital-property-rights-072809.aspx
[9] http://www.ecnmag.com/news-govt-states-mercury-site-072409.aspx
[10] http://www.ecnmag.com/news-new-ebay-program-072709.aspx