



October 7, 2022

Daniel Lee,
Assistant U.S. Trade Representative
for Innovation and Intellectual Property
Office of the United States Trade Representative

Re: Docket Number USTR-2022-0010 - 2022 Review of Notorious Markets for Counterfeiting and Piracy, 87 FR 52609

Dear Mr. Lee:

The Authors Guild is grateful for the opportunity to provide these comments in response to the Office of the United States Trade Representative's request for comments in connection with its review of notorious markets for counterfeiting and piracy.

The Authors Guild is a national non-profit association of more than 12,000 professional writers, many of whom struggle daily to combat the unauthorized online distribution of their works. Founded in 1912, the Guild counts novelists, historians, biographers, academicians, poets, journalists and other writers of nonfiction and fiction as members. Our members publish with traditional publishers as well as independently using the many self-publishing platforms available today. Their work informs, entertains, adds to the knowledge of, and shapes the imagination of millions of Americans. As an organization whose members earn their livelihoods through their writing, the Guild has a fundamental interest in protecting the important contributions of American writers from rampant online piracy.

Digital book piracy, is one of the biggest threats facing authors' livelihoods today. Authors' incomes from books—already at historical lows due to changes in the publishing marketplace over the last decade, including increasing publisher consolidation and the growing dominance of online retail monopsonies—are squelched even more by the countless purveyors of pirated ebooks that operate across the internet. According to the 2018 Authors Guild Income Survey—the largest survey of writing-related earnings by American authors ever conducted—found that mean writing incomes for full-time professional authors was \$20,300—a 42% reduction in real dollars from a decade prior.¹ This precipitous decline in authors' incomes is taking place against the backdrop of an astronomical growth in digital book piracy.

Today, accessing pirate ebook sites is easier than ever. With a few clicks, anyone on the internet can download an illegal copy of virtually any book. Piracy not only impacts authors who publish with traditional publishers, but the growing numbers of independently published authors. The earnings of traditionally published authors comprise royalties paid to them from each sale of the publisher's edition; consequently, for each sale that is substituted for with a pirate download both the book's publisher and the author lose income. (For a thorough discussion of how ebook piracy affects publisher revenues, we refer you to the comments filed by the Association of American Publishers).

Independent or self-published authors, who, unlike traditionally published authors, bear all or a significant portion of the costs of book production (for e.g., editing, proofreading, marketing, and platform fees), are directly impacted by piracy. Illegal book downloads pose a serious and devastating risk to their investments, which are generally in the many thousands and tens of thousands of dollars. While it's difficult to put a number on their losses from piracy, genres such as romance are dominated by high-volume readers; the easy access to new releases on pirate deters these readers from purchasing the ebooks.

Our submission this year, once again focuses on Library Genesis Project (Libgen) and Z-Library. These two pirate repositories remain the most prominent conduits for ebook piracy in the United States, and we respectfully urge you to continue their inclusion in the 2022 review.

1. The Library Genesis Project (Libgen)

On the endless and ever-growing list of notorious pirate networks, the Library Genesis Project (Libgen)—a 33 terabyte repository of pirated ebooks, articles, comics, and other copyrighted works—inarguably ranks at the top. Over the years, the site has become a household name, and is popular among college students who share links to its mirrors on social media as a means for acquiring free books. Through its many domains and mirrors, described below, it is estimated that Libgen serves 2.4 million non-fiction books, 80 million science magazine articles, 2.2 million fiction books, 0.4 million magazine issues, and 2 million comics strips.² With the exception of Sci-Hub founder Alexandra Elbakyan, who is believed to be domiciled in Russia and may be involved in Libgen's operations, the identities and locations of Libgen's principals is unknown.³

Libgen's domains can be easily accessed through Google searches for "Libgen" even if the internet user does not know the exact URL. According to Alexa reports, most users find the sites by simply searching for "libgen" on search engines. (A Google search for "libgen" conducted on October 7, 2022 had these as the top three results: libgen.is; libgen.li; the Wikipedia page for Library Genesis; and librarygenesis.net, which is a guide to using Libgen proxies). What's more, dedicated guides,⁴ subreddits like r/libgen, and other online communities post updated lists of active Libgen URLs, ensuring that consumers of pirated ebooks can always find the new locations if others are taken down. When the court issued a permanent injunction in 2017 in a lawsuit brought against Libgen by Elsevier to shut down the Libgen.org, Sci-hub.org, Bookfi.org, E-libgen.org and other Sci-Hub/Libgen domains, the operators simply moved to mirror sites, including libgen.is, libgen.rs, and libgen.li.

i. Domains Used

Libgen operates through a number of mirror domains. It freely disseminates the source code, library architecture, and its pirated repositories to allow anyone to set up a mirror library,⁵ making it difficult to determine which of the many domains serving its collections at any given



point are directly under control of the Libgen operators as opposed to being independently run but affiliated.⁶

Below is a list of some the most commonly accessed, currently active and past Libgen domains.

Active: gen.lib.rus.ec; libgen.gs; libgen.li; libgen.rs; libgen.is; libgen.st; libgen.li; libgen.lc; libgen.pw; libgen.fun; libgen.me

Past: libgen.io; libgen.nl; libgen.org

Domain Registration Information: Below is a summary of “whois” records⁷ for some of Libgen’s most popular domains:

libgen.rs

Registrar: NINET Company (Serbia)

Registrant: 1337 Services LLC, P.O. Box 590, Charlestown, Saint Kitts and Nevis

libgen.is*

Registrar: ISNIC (Iceland)

Registrant: 1337 Services LLC, P.O. Box 590, Charlestown, Saint Kitts and Nevis

libgen.li

Registrar: Sarek Oy

Registrant: Urho Kekkonen katu 4-6 E, FI-00100 Helsinki, Phone +358 931577910, terve@sarek.fi

libgen.fun

Registrar: Namecheap (USA)

Registrant: Undisclosed

libgen.me

Registrar: TLD Registrar Solutions (UK)

Registrant: Undisclosed

libgen.pw

Registrar: TLD Registrar Solutions (UK)

Registrant: Undisclosed

ii. Traffic and Volume

Libgen’s domains are not only the most high-traffic locations for pirate ebook acquisitions, they rank among the most high-traffic locations overall on the global internet. The data following was collected on October 8, 2021 from Alexa’s global engagement ranking over a 90-day period,

however, due to the suspension of the Alexa program in May 2022, we are not able to provide updated usage statistics.

On October 8, 2021, the domain “libgen.rs” **ranked #2758** (among the over-1.8 billion websites that are estimated to be active currently) in Alexa’s global internet engagement over a 90-day period. Other commonly used domains “libgen.is” and “libgen.li” rank at #4515 and #8951 respectively. This rank is calculated using a combination of average daily visitors to this site and pageviews on this site over the past 3 months (for reference, Google.com ranks #1 on the list as the most visited site in the world). Further, traffic from the U.S. comprised the largest percentage of the total visitors for libgen.is, libgen.rs, and libgen.li,⁸ with Google.com as the top conduit despite the volume of takedown notices from rights holders. According to the Lumen database, Libgen.rs, one of Libgen’s high-traffic active domain, has clocked over 4,800 takedown notices in just over two years.⁹

iii. Revenue Sources

The Libgen project and affiliated domains primarily earn revenue by collecting donations (commonly in cryptocurrency), though some of its domains may also earn revenue from advertising.¹⁰

2. Z-Library

Z-Library (also known as B-ok.cc) is a notorious pirate site that uses—and possibly contributes to—the Libgen repository. Even though Libgen and Z-Library are two different pirate sites, they appear to maintain a close degree of interdependency: Libgen domains link out to Z-Library as one of the options for downloading illegal ebooks, and in a recent interview Alexandra Elbakyan, founder and operator of Sci-Hub, who maintains close ties to Libgen—referred to Z-Library as a “mirror” of LibGen.¹¹

Z-Library has reached a level of notoriety that rivals, if not exceeds, that of Libgen. The hashtag #zlibrary on popular social media platform TikTok has 19 million views,¹² in reference to the countless videos posted by college and high school students and others across the world promoting it as the go-to place for getting free ebooks. Users of both Libgen and Z-library have noted that the latter offers an easier user interface and additional features, notably a full-text search function, which may be one of the reasons for the site’s popularity. As with Libgen, Z-Library’s name recognition and notoriety are a significant factor driving traffic to the sites. Accessing active domains is as easy as typing “Z-library” in a search engine.

So far there have not been any significant enforcement actions against Z-Library of which we are aware. In March 2021, Chinese domain services providers suspended several Z-library’s domains in response to complaints from Harvard Business Publishing, however, the domains were reinstated after Z-Library removed the publications identified in the complaints.¹³ According to the Lumen Database, the domain z-lib.org, one of Z-Library’s principal domains, has amassed more than 10,000 DMCA notices between 2020 and today.

i. Domains Used

Below are Z-Library's the most commonly accessed, currently active and past domains.

Active: z-lib.org; singlelogin.me; booksc.org; 3lib.net; b-ok.africa;

Past: b-ok.cc; z-library.org; 1lib.us; book4u.org

Domain Registration Information

Z-library serves pirated ebooks through a network of domains that appear to be registered with companies around the world. Registrant information, such as names and locations, for many Z-library domains are protected by "Whois" privacy guards; however, in a few cases shell companies based in Saint Kitts and Nevis and Hong Kong are listed as the registrants.¹⁴

z-lib.org

Registrar: Tucows Domains Inc. (Canada/US)

Registrant: Undisclosed

singlelogin.me*

Registrar: Sarek (Finland)

Registrant: 1337 Services LLC, Charlestown, Saint Kitts and Nevis

(note that the registrant information for this domain matches the registration domain for the libgen.is domain)

singlelogin.org

Registrar: NICENIC INTERNATIONAL GROUP CO., LIMITED (China)

Registrant: booza, Russia

booksc.org

Registrar: Internet Domain Service BS Corp (Bahamas)

Registrant: Undisclosed

3lib.net

Registrar: Tucows Domains Inc. (Canada/US)

Registrant: Undisclosed

ii. Traffic and Volume

As of last access, Z-library's z-lib.org domain ranked #5301 in Alexa's global engagement rankings. Traffic from the U.S. comprised the largest percentage of the total visitors for z-lib.org, and libgen.li, with Google.com as the top conduit. Through its many domains, Z-library professes to serve over 8 million books and over 84 million articles.¹⁵

iii. Revenue Sources

Z-library also relies primarily on donations for its revenue needs, however, unlike Libgen, it also appears to offer a paid premium service (for a recurring donation) with expanded features such as “send-to-Kindle” and text conversion.¹⁶ Z-Library also runs successful fundraising campaigns to raise money for operation costs.¹⁷

3. Impact on Authors

The quotes below portray the personal and financial impact of Libgen and Z-Library’s mass piracy on authors.

“On the very morning that it was published, a copy of the book was posted for free on Library Genesis. Many of my students that day congratulated me on publication and informed me, as if proudly, that they had already downloaded it, as they do most of their books, from Library Genesis. The site now has at least 90 versions of all of my books, in multiple languages, available for free on its site.”

- Author wishes to remain anonymous

“If you search for my name on Libgen, you get 1,377 results distributed over 56 pages. That is 1,377 pirate copies of virtually all of my books in multiple languages and file formats.”

- Douglas Preston, Authors Guild President

“Z-Library is killing us. A book we release in the morning is up on Z-library by lunchtime. All my books are up there. Furthermore, all the books I've published in my new imprint are up there. So I have a dozen authors in despair. This isn't the only site that hurts us, but it's the site that keeps showing up in Tiktok videos.”

- Sarina Bowen, NYT-bestselling author

“As a group, 2021 saw an aggressive wave of piracy, particularly via Zlibrary. Zlibrary has been a problem for years. But what made 2021 particularly bad was that TikTok behaved like jet fuel on the flames. Every month saw a new TikTok video along the lines of: “Never pay for another book! Find them here on Zlibrary.” And these videos saw hundreds of thousands of views. In the past, we could at least serve Google a search term takedown, which meant that anyone searching “download TITLE by author” might not find Zlibrary. But with TikTok acting as Zlibrary’s free and constant billboard, we have completely lost control of the conversation. Some of us have tried uploading partial or flawed copies of our own books to LibGen for population on Zlibrary, just to staunch the bleeding during release week. But the real file still ends up there for all the world to take for free. And sales are suffering. Zlibrary might actually break us.”

- Statement by a group of romance writers

Final Remarks

Given the staggering scope of their collections that often cover publishers' entire lists and countless self-published ebooks, Libgen and Z-Library's impact on the writing community is incalculable and truly devastating. We hope that you will find the information provided in our comments useful, and that the Office of the U.S. Trade Representative will use its resources to elicit cooperation from foreign governments in removing the safe harbors available to notorious pirates in their countries. Thank you for your continued concern for the well-being of hard-work of American creators.

Respectfully submitted,



Mary E. Rasenberger
CEO, The Authors Guild



Umair Kazi
Director, Policy & Advocacy, The
Authors Guild

¹ Authors Guild Income Survey, Jan. 5 2019, <https://www.authorsguild.org/industry-advocacy/authors-guild-survey-shows-dramatic-42-percent-decline-in-authors-earnings-in-last-decade/>

² <https://libgen.onl/>

³ See for e.g., Complaint at 9, *Elsevier v. Sci-Hub.org et al.*, No. 1:2015cv04282 (S.D.N.Y 2015), available at <https://cdn.arstechnica.net/wp-content/uploads/2016/02/sci-hub.pdf> (noting that plaintiff was “unaware of the true names and capacities of the individuals named as Does 1-99 in this Complaint (together with Alexandra Elbakyan, the “Individual Defendants”), and their residence and citizenship is also unknown.”)

⁴ See for e.g., Library Genesis Guide: Your guide to using Library Genesis, <https://librarygenesis.net/> (last accessed Oct. 7, 2022)

⁵ SHADOW LIBRARIES: ACCESS TO KNOWLEDGE IN GLOBAL HIGHER EDUCATION 28 (Joe Karaganis, ed. 2018) (“Although ordinary users can search the catalog and retrieve the texts, LibGen’s main focus is the distribution of its own library infrastructure, including its source code, catalog, and terabyte-sized collection to anyone who wants to start his or her own library. In practical terms this means that anyone can freely take a copy of LibGen and start distributing text under his or her own terms.”).

⁶ <https://forum.mhut.org/viewtopic.php?p=9000>

⁷ List of “Whois” results for the various domains on October 7, 2022:

<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domain=libgen.is&domainName=libgen.rs;>
<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domain=libgen.is;>

<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domain=libgen.is&domainName=libgen.fun>;
<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domain=libgen.me&domainName=libgen.pw>;
<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domain=libgen.me&domainName=libgen.me> (last accessed Oct. 7, 2022)

⁸ According to Alexa records accessed on October 8, 2021, 35.6% of libgen.li’s traffic came from the U.S. as did 18.9% and 23.8% of the traffic to libgen.rs and libgen.is respectively.

⁹ https://www.lumendatabase.org/notices/search?utf8=%E2%9C%93&term=Libgen&sort_by= (last accessed Oct. 7, 2022).

¹⁰ SHADOW LIBRARIES: ACCESS TO KNOWLEDGE IN GLOBAL HIGHER EDUCATION 40 (Joe Karaganis, ed. 2018) (“Forum posts asking for donations suggest that funding for LibGen comes from their own personal resources as well as occasional donations when there is a need to buy or rent equipment or services: “[W]e’ve been asking and getting support for this purpose for years. [...] I asked the community for donations three or four times, for a specific purpose only and with all of the budget spoken for. And after getting the requested amount of money we shut down the donations.” Mirror sites, however, do not need to be noncommercial to enjoy the support of the core LibGen community, they just have to provide free access to users.”) See also Subreddit r/libgen discussion on donating to the Library Genesis Project:

https://www.reddit.com/r/libgen/comments/jg1re5/how_can_i_donate_to_libgen_project/g9o1mew/

¹¹ Jennifer Walter, *The Founder of Sci-Hub Is Absolutely Unrepentant*, Futurism.com (Oct. 9, 2021)

<https://futurism.com/founder-sci-hub-unrepentant> (In response to a question about projects similar to Sci-Hub, Elbakyan said that “Library Genesis has done great work for books! And it has many mirrors such as Z-Library.”)

¹² Tiktok, <https://www.tiktok.com/tag/zlibrary>

¹³ Ernesto Van der Sar, *ZLibrary Domains Were ‘Temporarily’ Suspended Over Copyright Infringement Claims*, TORRENTFREAK.COM (March 12, 2021), <https://torrentfreak.com/zlibrary-domains-were-temporarily-suspended-over-copyright-infringement-claims-210312/>

¹⁴ List of “Whois” results for the various domains:

<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domainName=z-lib.org>

<https://www.godaddy.com/whois/results.aspx?checkAvail=1&tmskey=tmskey%3D123&domain=1lib.us&domainName=singlelogin.me>; <https://www.godaddy.com/whois/results.aspx?checkAvail=1&domainName=3lib.net>;

<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domainName=booksc.org>;

<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domainName=singlelogin.org> (last accessed Oct. 7, 2022)

¹⁵ Z-Library, <https://z-lib.org/> (last accessed Oct. 7, 2022)

¹⁶ Z-library Guide, <https://librarygenesis.pro/z-library/#!>

¹⁷ Farhag Sherwani, Z-Library: A Nightmare for Authors, MEDIUM (July 8, 2019), <https://medium.com/happiness-soup/bookoz-a-nightmare-for-authors-530cc988ba3e>