

company: "We believe strongly that in the long term, we will be better served . . . by a company that does good things for the world even if we forgo some short-term gains. We aspire to make Google an institution that makes the world a better place."⁵ Fittingly, Google's unofficial company motto, "Don't Be Evil," had long embodied that very ideal.

In the year following the IPO, Google grew to become the fifth most popular website in the world, with more than 380 million visitors per month and half of all users coming from outside the United States. The company also continued its tradition of branching out into multiple product lines. By 2006, it had wide-ranging projects in development, including such long-shot ideas as a program that would allow individuals to track their own DNA history online. Google noted that the project was grounded in the practical and might one day provide people with the ability to take ownership of their own health care through the identification of hereditary health risks.

But Google's "Don't Be Evil" policy hit a stumbling block in December 2005, when the Department of Justice requested all major search providers to submit user information in an effort to investigate the prevalence of child pornography on the Internet. The investigation was part of an attempt to enforce the Child Online Protection Act, which required websites to shield minors from harmful materials. The subpoena requested a sampling of 1 million searches initiated through Google over the course of one week. Whereas Google refused to provide any information to the government and elected to fight the subpoena in federal court⁶—citing the importance of user privacy—search engine competitors MSN and Yahoo quickly complied with the government's request.

THE CHINESE MARKET

Meanwhile, with a population of 1.3 billion and a growing economy, China represented an enormously important market where Google felt it needed to gain a stronger foothold. The number of Internet users in the country had grown substantially in recent years, estimated to have reached more than 110 million regular users in 2006, making China the second-largest Internet market in the world.

The Chinese government gave all Internet search providers operating in the country a difficult choice: Either censor results deemed "objectionable" by the government or do not do business in China. Google already had a presence in the Chinese market prior to the Google.cn launch but had been unwilling to censor information on behalf of the Chinese government. A typical search request initiated through the Google.com website would be filtered by the Chinese government to remove objectionable material—a process that slowed Google's response time significantly and made it difficult for the company to compete.

The filtered search results would remove any reference to a number of subjects. Any content mentioning topics such as Tibet, Taiwan, Falun Gong, or the Dalai Lama was banned. For example, a search on Google.cn for the phrase "Tiananmen Square" returned results showing a smiling couple in the square at spring or the large mural of Chairman Mao on permanent display in the area. Absent were any links to the massacre of 1989. The same search on Google.com would include pages showing the all-too-familiar image of a student standing in front of line of tanks in protest.⁷ (See Appendix A for images.)

The primary Internet search provider in China at the time was Baidu.com, a Chinese company that owned approximately 48 percent of the market. Baidu had been ranked with the

⁵Ibid.

⁶"Google Refusal Raises Online Privacy Issue," *PRWeek*, January 30, 2006, p. 10.

⁷"How Google Censors Its Chinese Portal," *The San Francisco Chronicle*, February 2, 2006.