

Distributor mails final Potter book early

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Leaks in the secrecy surrounding the new Harry Potter novel continued Wednesday, as the book's U.S. publisher kept trying to stick a finger in the dam.

Scholastic, the U.S. publisher, issued a press release announcing that one of its distributors had mailed copies of the book to advance purchasers early, stating that some Potter fans received them on Tuesday.

The publisher said it was taking legal action against the distributor, Levy Home Entertainment, and DeepDiscounts.com, a Levy partner. The number of copies sent represents "one hundredth of one percent of the total U.S. copies," Scholastic said.

In papers filed Wednesday at Chicago's Circuit Court of Cook County, Rowling's U.S. publisher accused the defendants, based in Illinois, of a "complete and flagrant violation of the agreements that they knew were part of the carefully constructed release of this eagerly awaited book." Scholastic is seeking damages "to be determined."

Donna Coyne, Levy's director of product management, declined comment when contacted by The Associated Press.

Scholastic appealed to early recipients that they keep the highly anticipated final book in J.K. Rowling's seven-part series under wraps until Friday at midnight, when the first copies are to go on sale.

"We are also making a direct appeal to the Harry Potter fans who bought their books from DeepDiscount.com and may receive copies early requesting that they keep the packages hidden until midnight on July 21," it said.

Rowling also issued a plea for restraint on Wednesday.

"As launch night looms, let's all, please, ignore the misinformation popping up on the web and in the press on the plot of 'Harry Potter and the Deathly Hallows,'" Rowling wrote in a message posted Wednesday on her .

"I'd like to ask everyone who calls themselves a Potter fan to help preserve the secrecy of the plot for all those who are looking forward to reading the book at the same time on publication day. In a very short time you will know EVERYTHING!"

The New York Times has ignored Rowling's appeal. The paper broke the publisher's embargo by publishing a review of the book by Michiko Kakutani on the newspaper's Web site on Wednesday.

At least one purchaser may have also ignored the author's pleas. An eBay user claiming to have an authentic version of the book was selling it online for \$175 on Wednesday, instructing potential bidders to "Buy It Now," rather than go through the usual time-consuming auction process.

Also on eBay, a user was offering to sell purported digital images of the book's nearly 800 pages for \$100. Those images, viewed on Tuesday by MSNBC.com, are available on many Internet file-swapping Web sites.

The set of nearly 400 photographs was said by those who posted them to replicate the Potter book in its entirety. The images purport to be photographs of the new book, painstakingly taken two pages at a time from a copy lying open on the floor.

Kyle Good, a Scholastic spokeswoman, would neither confirm nor deny the authenticity of the files.

Authenticity neither confirmed nor denied"There are multiple conflicting versions of what is alleged to be the book," she said. "I am not going to say what's real and what's not real. Nobody is going to be able to tell until they read the real book."

Good said several sites had removed content related to the book when contacted by the publisher. "They have cooperated fully not wanting to be spoilers," she said.

Scholastic also is pursuing legal avenues to catch potential pirates.

On Monday, it sent a subpoena to California-based Gaia Interactive, which operates a social networking Web site, requesting the site's assistance in removal of copyright-protected material.

The Chicago Tribune reported that the subpoena stated that "the URLs below contain scanned copies of original works of authorship owned by Rowling and Scholastic, namely a forthcoming Harry Potter book," referring to the Internet addresses containing the material.

Gaia spokesman Bill Danon said the firm complied with the subpoena, removed the material, and suspended for 14 days the user who posted it, as is the firm's policy. The subpoena involved files that were hosted on image-storage site Photobucket.com, which is owned by News Corp.

The Bloomberg News Service reported that the material in question was a copy of the latest Potter book, and that Gaia turned over identity information to Scholastic. Danon refused to comment on either point.

The dueling Web versions differ on key points in the book, indicating that at least some are fakes known as "fanfic" — entirely different books written by imitators. And their purported endings are as much at odds as the teenage wizard Harry and Voldemort, the villain in the Potter books.

Dueling endings Last month, a hacker who identified himself as “Gabriel” claimed to have broken into the computer system of British publisher Bloomsbury PLC and posted what he claimed were key plot points, including the deaths of two central characters in the series.

Another version that surfaced this week said that no fewer than five characters die in a violent climax.

The version that surfaced Tuesday had a very different outcome, with three characters dying.

Rowling, author of the sensationally popular series, has said two major characters will die but has begged the public not to give away the ending to her seventh and final Potter book.

Fan sites such as leaky-cauldron.com and mugglenet.com have vowed to keep spoilers away.

“A lot of our tips about spoilers are coming from fans,” said Good, spokeswoman for Scholastic. “There’s a groundswell from fans who find these links and send them to us, saying, ‘I’m not going to look at this, but somebody told me about it.’”

The London Telegraph reported last month that British publisher Bloomsbury had spent 10 million pounds (about \$24.6 million U.S.) mounting a security operation that included an army of guards, satellite tracking systems and draconian legal contracts aimed at preventing the book from being leaked.

The publisher had reason to be nervous.

A printing plant worker in Britain was sentenced to 180 hours' community service after attempting to sell three chapters of Potter book five to a tabloid in 2003.

Two years later, a handful of copies of book six were sold early in Canada, prompting the distributor there to apply for a court injunction barring buyers from disclosing the plot.

MSNBC.com's Bob Sullivan, NBC News senior producer Robert Windrem and the Associated Press contributed to this report.