
Novelists' Ink

The official newsletter of Novelists, Inc.—a professional organization for writers of popular fiction

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Someone Cue the Bluebird

By **GEORGIA BOCKOVEN**

Ever heard the term “hurry up and wait”? I thought it originated in the military. I know now it's pure Hollywood.

I won the lottery. Not the kind where you buy a ticket and wait a week. To enter this contest you have to write a book and then wait around a year—or, in my case, four.

That was how long it took for *A Marriage of Convenience* to move from being optioned for a television movie to the actual production.

How did it feel when the phone call came that the movie was cast and would start filming in a month? Mary Chapin Carpenter has a song that pretty well sums it up. Sometimes you're the windshield and sometimes you're the bug. For that one, magical night I was the biggest, baddest windshield on the road.

The whole thing started four years ago with a phone call to my agent, Mel Berger, at William Morris. I'd been procrastinating starting a book by doing “research” in front of the television when it dawned on me that the original movies being aired were a lot like the stuff I was writing. Two months after Mel shipped my books to the L.A. William Morris offices, *A Marriage of Convenience* was optioned by Carla Singer Productions. I was aware that few options lasted longer than six months—the time it takes to shop a project around to the major television networks—and was determined to be grateful that the book had made it as far as it had. A month later, CBS signed on and I thought, oh, boy, we're on our way. It's actually going to happen. It's a done deal. They're going to begin filming any day now.

It's okay to tell the world.

Remember the story about Chicken Little and how he told the same story so many times his friends stopped believing him? Well, you get the idea.

After more ups and downs than I want to remember, this past April the miracle finally happened. I was unloading plants from the car when I heard the phone ring and decided to let the machine pick up. A half hour later, my

fingernails black with dirt, sweat trickling down my spine, I finally got around to listening to the message. It was Carla Singer calling to tell me that Jane Seymour had signed that afternoon and it was time to celebrate.

John, my husband, happened to be in the room with me and for some dumb reason I decided to play it cool. I actually managed to pull it off for about ten seconds and then let out a whoop that rattled the chandelier. We opened a bottle of champagne, then I called everyone I could think to call, and we went to dinner. The next day we drove to the Napa Valley to buy a case of champagne figuring something this big required more than one night's celebration.

Despite knowing writers are not always welcome visitors on a set, there was no way I was going to let the filming happen without me. Incredibly, when I asked about going to Winnipeg to watch the filming, Carla Singer not only had the production assistant in Winnipeg check the schedule to figure out when I would see the most interesting scenes being shot, she suggested John and I bring a gown and tux and be extras in the black and white ball scene.

Three weeks later, our suitcases packed with the requisite finery, we boarded the plane for Canada. (I learned later the location for a movie that supposedly takes place in Denver and Sacramento was determined by a very large tax incentive offered by Manitoba.) We were met at the airport by one of the 14 drivers hired for the production, driven to the hotel where there were flowers and a note waiting in the room, were told by the front desk that the accommodations were being taken care of by the production company, and were then taken to that day's set—a beautiful, old, three-story house on a tree-lined street.

During the dinner break, the dispossessed homeowners gave us a tour and told us how excited they were to have a movie being made in their

Continued on page 4 ▶ ▶ ▶ ▶

Also in this Issue:

President's Column—2 / Advocacy: Copyrights—3 / Searching the Internet—6 / Ask the Lawyer—8
Reviewers on Reviewing—9 / E-Book World—10 / Online—12 / East of the Hudson—13 / Fast Track—16

Novelists, Inc.

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PRESIDENT'S COLUMN

This is my eleventh time out of the box this year writing the monthly NINC president's column, and, for the first time, I'm absolutely stymied. The truth is that right now I don't have a damn thing to say as your president.

By the time you read this, the Lake Tahoe conference will be behind us. I have a feeling it's going to be one of the best ever, but obviously, as I'm writing this about two weeks before the conference begins, there's no way I can report on the truth of that intuitive feeling. So there's nothing to mine on that subject.

Everything's calm on the NINCLINK front. The newsletter is humming along and getting better and more valuable each month. The NINC Web site is out there in cyberspace, just cruising along doing its thing. The Author's Coalition has a meeting next week, so I can't report on that. There are no blazing controversies to discuss that haven't already been discussed and either resolved or put on indefinite hold. The incoming slate of officers will soon be taking over and I'll be history. Thanksgiving is upon us and soon after that the insanity of the Christmas holidays. The year is winding down.

And I don't know what to say. I'm stuck, embarrassed even.

This has set me thinking about a subject I often dwell on: the nature of writing, the work we do. NINC writers are professionals. Most of us do this for a living—or at least part of one—and those of us who don't earn a living at it wish we could. And the first thing that any professional writer learns is that the notion of waiting for inspiration before writing is the surest path to oblivion. When it's time to get the words out, we get them out, whether we feel like it or not and, as this column attests, whether we have anything to say or not. I may have already paraphrased Faulkner in a column this year, but please indulge me while I do so once again, as The Great One said he wrote only when he was inspired, and he made damn sure he got inspired every day.

On the other hand, this isn't an assembly line. We're not putting words on a page in the same way a UAW member screws rear view mirrors onto Ford Tauruses. Faulkner's comment on writing every day was, of course, nonsense, and I suspect he knew it when he said it. Faulkner didn't write every day any more than I do or you do or anyone does. No one can do this every single day of every single year; the well would run completely dry. Talk about burnout.

On the other hand, the subtext of Faulkner's comment was right on: you can't wait for inspiration. But you also can't do this work without some kind of divine spark. This isn't a set of mechanical, repetitive, predictable assembly line tasks. We make something out of nothing, and there has to be some element of magic, passion, inspiration, vision, or whatever-you-choose-to-call-it. It's what we depend on for our livelihoods and our sanity.

The biggest career risk or occupational hazard most of us face—besides depression, substance abuse, and a host of other self-destructive behaviors—is the chance that we will lose that spark, that little bit of magic that enables us to sit down in front of the keyboard, retreat somewhere deep down inside ourselves, and come up with something out of nothing and

This Month from the President:

*Day after day...
year after year...
book after book...
you get
the words out*

then hold it up to the world as special, worthy, even noble.

It's a screwy life, isn't it? But most of us, myself included, wouldn't trade it for the best paying assembly line job—complete with benefits—out there. By definition almost, we live on the edge, without benefit of safety net or assurances or guarantees. And as pros, we've learned the secret handshake, that writing is a two-step process: you

put your butt in the chair and your fingers on the keyboard. And you get the words out, even when you don't feel like it or even have much to say. You get the words out, day after day, month after month, year after year, book after book. You get the words out.

Just like today....

— *Steven Womack*



Advocacy: Copyright, Copyright, Copyright

Recently, at a writer's conference, I overheard one writer warn another that it is never a good thing to rock the boat and take a stand for your rights. The reasoning was that as writers we have little power and such a stand would be professional suicide.

From my seat as Advocacy Chair over the past year and a half, I had to challenge that statement. Certainly, it is not easy to stand up for one's rights. It is never pleasant. It calls for courage. It is also the only professional step to take. And so far, of the writers I have interviewed, no "blacklist" has appeared. No dire consequences. In fact, those writers who have stepped forward have gained the recognition and admiration of the industry for being brave enough and savvy enough to know their business.

So, I was pleased when the questions for this month's column came in for Nora Roberts, who stood up for her rights amidst a media frenzy that would have made even the most stalwart of us hesitate.

While defending your rights against copyright infringement what have you learned about the publishing business?

Well, hmm.

I suppose the episode with Janet Dailey taught me that the majority of writers, the majority of publishing houses take strong stands against copyright infringement. But there are a surprising number of writers who don't seem to understand what it is, or feel it's just no big deal. That was discouraging. I also found a great many bookstores are perfectly willing to sell the infringed material, even after being notified. That was disheartening. But, all in all, the system works. It takes time, buckets of effort and energy and determination, but it can and does work. I certainly learned that when pushed to the wall about my work, I have buckets of energy and determination. I know that if each of us doesn't stand up for our work and treat copyright infringement as a serious matter, we devalue ourselves and our books.

— *NR*

What did you learn about yourself?

In my case I felt, and still feel, that if I let this kind of theft slide, if I'd taken the easy route, I would have left

myself open to more of the same. I wanted to make a very clear statement that if a writer chooses to copy my work, I'll take whatever legal action is necessary, at whatever cost. As writers, our words are our craft. No one can be allowed to take what is ours and call it his or her own.

— *NR*

Copyright Legislation in Congress

Copyright legislation which will put to the test the age-old conflict of the creator's right to profit from his work and the consumer's right to resell the work after paying for it plus change the definition of "fair use" is now in a House-Senate Conference Committee. I don't know the title of the legislation yet because the news was presented to me just before the newsletter deadline, but I will ferret it out! The legislation will make it illegal to circumvent technology that guards against digital copying. It will also extend copyright protection to the facts collected in a work, rather than just the work itself, such as in original research.

According to the newspaper report, proponents of the legislation feel it is necessary because of electronic distribution of books, music, and film. Of course, the recording and motion picture industries are working on technological fixes to stop electronic bootlegging, but they also want legislation that will balance the rights of consumer and creator. Richard Taylor of the Motion Picture Association of America is quoted as saying, "This is not about withholding; it's about protecting."

There are opponents. Alarmed is the scientific community where research is freely used with credit under "fair use." Consumer groups are also mobilizing to fight the legislation. The news article points out "scholars, film buffs, even average consumers could find long-held habits suddenly declared illegal."

I will learn more!

If you have a question for the Advocacy Column, please contact Cathy Maxwell, 804-744-3376 or cmawell@bellatlantic.net.

CUE THE BLUEBIRD

▶ ▶ ▶ ▶ *Continued from page 1*

home—which was pretty amazing considering the only rooms not filled with movie-making clutter, and we're talking a lot of clutter, were the kitchen and the two bedrooms being used in the film. These rooms had been repainted, repapered, refurnished, and filled with photographs of the principal actors.

Somehow word spread that "The Writer" was on the set, the words spoken with the awe associated with celebrity. For me, it was one of those, "Who? Me?" times when you glance over your shoulder to see if it's really you everyone is talking about. And, unbelievably, it is. Over and over people told me, "You know, none of us would be here if it weren't for you."

Confusing, disconcerting, heady—just a few words that come to mind when I think about how this felt. Of course the feeling was as transient as it was glorious. The cat boxes still had to be cleaned when I arrived home.

Dinner that first day was with Carla Singer and Shirley Knight at tables set up outside the catering wagon. We talked while dodging raindrops. Midway through the meal Carla spoke the magical words I'd come all those miles to hear. "I've been reading *The Beach House* and I think it's wonderful."

Another production company was in the process of making an offer and I'd decided I wanted to go with Carla, someone who had the tenacity to see a project through to the end. (The actual deal for the option with Carla Singer Productions was worked out two days after I arrived home.)

"The Writer" Arrives

Before filming started again that day, I met Jane Seymour and James Keach, her husband and director of the film. She was warm and gracious and actually sought out an introduction to "The Writer." Dressed as she was, I doubt I would have looked twice had I passed her on the street. But she made me understand the meaning of the camera loving someone. When I saw her being filmed later, she was stunning. James Keach has a terrific smile and laid-back personality. He was easy to approach and easy to talk to. James Brolin was somewhere in Winnipeg being stalked by photographers hoping to catch a shot of him and Barbra Streisand.

After dinner we were driven back to the set (four blocks) and given umbrellas. A tarp was constructed to cover Jane and the camera and director. Huge lights were set up to make it look like a sunny afternoon.

Jane had to cry in the scene they were shooting and managed to pull it off five times, stopping to wash her eyes with drops, dab the moisture on her lashes and cheeks, and reapply makeup between takes. I was so caught up in what

was happening I actually believed she was emotionally overwrought—all five times.

The moment that sparked the deepest emotional response in me that day, however, came when I saw the clapper with *A Marriage of Convenience* written on it. Somehow, this made the fantasy real. Dumb question for that day was if I could take the clapper home with me for a souvenir. It turned out they cost several thousand dollars and belong to the person who uses them on the set. No need to guess the answer.

During the three hours that we stood and watched filming that first day there couldn't have been more than five minutes of finished film shot.

It wasn't that people were fooling around or making mistakes, it just took forever to set up for a new shot, to get hair and makeup touched up, to rehearse, to shoot the scene, to tear everything down and then set it up again. Five landscapers stood around all day for a half hour of work changing mature plants to small plants to denote six years time passing.

Until now, everything I knew about movie making I'd learned from books and watching movies about making movies. The director pecking order was something new for me. There are five of them, each with a specific job. The first AD, or assistant director, did the work I'd always thought the director handled. Instead, James Keach sat back and waited until the scene was ready to be shot then watched the action in a monitor and decided how many times it had to be reshot. As soon as he was satisfied, he sat back again, joked with the men close to him, and waited for the assistant director to set up the next shot.

The following day was the ballroom scene. We reported to the set at 5:30 in the evening dressed and ready for our movie debut, figuring we'd be out of there early enough to go to a really nice restaurant. It's amazing when I'm wrong, just how wrong I can be.

The "ball" was being held at a beautiful old hotel, the room lavishly decorated in the black and white theme. (It's a black and white ball, Jane Seymour shows up in a red dress. The band was supposed to play *Lady in Red* while James and Jane are dancing and he is finally figuring out that he's falling in love with her, but for some reason, money probably, they decided to go with a generic song.)

The paid extras were the dancers, members of the band, and anyone who had to follow specific directions, like the waiters. The rest, about 300 of us, had either been given a special invitation or had responded to a notice in the newspaper. I later learned that the response to the ad had been overwhelming and that hundreds of people had been turned down. There were a lot of local celebrities who managed to make the cut, however.

All the extras had to report to a staging area to be in-

spected before they were allowed on the set. Jewelry was handed out to those deemed too plain. Some were given new dresses from the prop department.

Once inside the ballroom, we were assigned tables. John and I were put at a table with executives from the hospital where they'd filmed several scenes from the movie earlier that month. (Our table is next to the one where James Brolin dumps his girlfriend—we're the fuzzy people right behind her. So if you're not caught up in the movie moment, look around. You just might spot us, my nose anyway.) And, yes, James Brolin is as tall, and as handsome, as he looks on television. And he's nice, too. He and John talked golf.

We were given cake and diluted grape juice and told not to touch either. Two hours later someone changed their mind about the setup and the cake was taken away—uneaten. Six hours later it was offered for real. I didn't see anyone indulging.

Between every take a crew member would run around blowing out the candles on the tables. Periodically, the candles would be replaced and allowed to burn briefly before the whole process started again.

By the time we broke for lunch (read dinner) at ten, we were starved. The film crew went one way to a full course meal while the extras went another way to salami, cheese, pickle spears, and rolls. John and I were invited to join the crew but were actively bidding on some items in a silent auction that had been set up to entertain the extras and benefit the children's hospital. I'd been asked to contribute a couple of signed books to the auction. They sold for \$140. I was speechless. The winners were sure they got a bargain.

Ever hear the term hurry up and wait? I thought it originated in the military. I know now it's pure Hollywood.

Around midnight the assistant director gathered the extras. He said that he understood everyone had to go to work in a couple of hours and that he knew we were all tired, but there were still several scenes that had to be shot that night and they desperately needed as many people as possible to stick around. The troops rallied and returned to their tables. As far as I could tell, not one person left.

We were finally told at 3:30 a.m. that the final scenes didn't need extras and we could leave. By then I was numb. Jane Seymour and James Brolin looked as if they'd just arrived.

Sharp, classy, sophisticated...not!

Later that morning we awoke to the hum of the vacuum cleaner in the next room. Filming wouldn't start again until that night, but we'd been invited to tour the production offices. I don't know what I expected, but it wasn't what I saw. When a production company moves into town to set up temporary quarters they look for a warehouse-type building. Sharp, classy, sophisticated aren't listed in the requirements. They need large, empty rooms for the art department, wardrobe, fittings, offices, and props. This one had been a textile plant and still had some of the machines and bolts of cloth stacked in corners.

An enormous amount of paper is generated at the pro-

duction office every day. A small part of it includes daily script changes, scheduling, payroll, individual daily scripts for each actor, communication between L.A., Vancouver—where the film was being processed—and each day's set.

The timing for each day's shoot has to be worked out to schedule breaks and meals that fit the individual craft union members—go over the prescribed limits and you go into overtime for a lot of people.

Over coffee in the break room I learned a little about the legal end of making a movie. A global name search is done for the characters and any name found only a few times, as opposed to a hundred, is changed. Since CBS does not allow product placement in its programs, all product names are covered—except for Jane's shoes because she has a personal contract with the company. The United States government had to give permission to transport a U.S. mailbox over the Canada border. I'm not sure where or how they were acquired, but the cars all had real Colorado and California plates.

Our last day on the set was cold and the early scenes were being shot inside the house. With the camera and crew and actors, it was awkward being inside, so I spent the day in the sound van with Leon, a man who's been in the business 25 years and was not only willing, but eager to share stories about the business. We watched the action on a monitor while Leon explained how hard it is to keep the sound boom out of the frame in a room with a mirror, why some films can only be shown in a narrow format on television, and how the sound tape is synchronized to the film during editing.

When the action moved outside again, I decided to stay with Leon. The scene being shot was simple, Jane and Kevin, her son, were to come out of the house, get in the car, and drive away. The unexpected happened. Just as Jane climbed in the car, a bluebird started singing. Everyone, from the actors to the director to Leon noticed and delighted in the bonus authenticity the bird had added to the scene. When it was time for the second shot, in unison, Leon and the first DA called for someone to cue the bluebird.

The week was up. It was time to go home. I left knowing that even if I win the lottery a second time with *The Beach House* it won't be the same.

There's only one first time. Unlike other first times in my life, this one had been more than I expected, more than I dreamed.

Georgia Bockoven's newest book is Things Remembered, published by HarperCollins, October, 1998. Tying in with the TV movie, A Marriage of Convenience was rereleased in October.

Searching the Internet: A Beginner's Guide

By **TERESA LOFTIN**

You know the information you need is out there on the Internet somewhere. You know this because people are forever telling you to do a Web search. You know this because it is now generally assumed everything is on the Internet. While I doubt that *everything* is on the Internet, I do not doubt that a great deal is. However, finding that information is not always easy. Searching the Internet does not have to be an onerous task. In this article, I hope to explain a few basics about using search engines to find information on the Internet.

The first thing you need to know is not all search engines are the same. The search engine you choose depends on the kind of search you would like to do. Generally, there are three major types of search engines—category, keyword, and meta. No single search engine has everything the Internet has to offer. I will not go into detail here on how Web sites become listed with search engines, but suffice it to say it is often a hit-or-miss venture. That is why searching several different search engines is always recommended.

Category Search Engines

Category search engines group together Web sites based on common subjects. These search engines look for Web sites based on a hierarchical listing of subjects similar to the subject headings in library catalogs. An example of a category search engine would be Yahoo! (web address listed below). Start with a category search engine if you are looking for specific information that can be easily categorized. For example, you want to set your next book in Savannah, Georgia. You might want to start with reading the newspaper from Savannah. Here is where a category search engine comes in handy. From the main page of Yahoo!, you click "Newspapers" under the "News and Media" main heading. Once you are in the "Newspapers" category, click "Regional," then click, "U.S. States," followed by "Georgia" then "Savannah." This search brought me to a link to the *Savannah Morning News*. Category search engines are also good when you are just beginning to explore a topic and need some basic information.

Keyword Search Engines

Next come the keyword search engines. These are probably the most common. They include AltaVista, Excite, Lycos, WebCrawler, and Hotbot, to name a few. Keyword search engines generally search the full text of Web sites in

their databases for words you ask them to find. These are the search engines that tend to scare people away from doing research on the Internet. I put in the term *autopsy* in AltaVista. It returned

55,520 hits (a hit is the lingo for a Web site found meeting the search criteria). My gosh! Who wants to sift through 55,520 Web sites? If you are looking for general information about autopsies, then I would suggest the category search mentioned above starting with the "Medical" category. However, if what you want to know is whether autopsies are performed on all unattended deaths in Georgia, then a keyword search engine is where you want to start. This more specific topic gives me a few more terms to work with. I searched AltaVista for *autopsy*, *unattended*, *deaths*, and *Georgia*, and the first hit I got (it returned 39) was a page with the full text of Georgia House Bill 557 - Georgia Forensic Sciences Act of 1997. In a moment, I will give you some hints and tricks for using keyword search engines more effectively.

Meta Search Engines

The last type of search engine is the meta search engine. A meta search engine does not have its own database of sites (so you would not ask to have your Web site listed with a meta search engine), rather it searches several other search engines at once. MetaCrawler and AskJeeves are examples of meta search engines. When you type in a question on the AskJeeves site, it searches Yahoo!, AltaVista, Excite, and a few others all at once. Some of you may be asking about now, why not just use a meta search engine and forget the other kinds? Granted they are handy, but the default search modes differ from search engine to search engine, so the same search in Hotbot might yield completely different searches in AltaVista. I will not go into detail about default search modes, but will touch on it in a minute when I talk about tips for using keyword search engines (which also apply to meta search engines). The meta search engines are a nice place to get started on a search. AskJeeves has quickly become one of my favorite search engines for this reason.

Finally a few hints for narrowing your searches on the Internet. One is to ask the search engines to search for *all* the terms you list using the plus (+) sign before each term. When I put the terms in AltaVista in the example above, I put +*autopsy* +*deaths* +*unattended* +*Georgia* in the search box. Without the plus signs, it will look for all sites with at least one of these words listed. If you list these four terms

without the plus signs, AltaVista returned 511,210 hits because it searched for pages that had at least one of the four terms on it. This is the default search mode for most search engines, so use the plus signs to keep your returned hits list manageable. You do not need to use the plus signs with Hotbot because its default search mode assumes you want to find pages on which every term you list appears. This is why Hotbot is another of my favorite search engines.

Another way to narrow your search is to put quotation marks around an exact phrase so the search engine looks for the phrase rather than the occurrence of both words separately on a page (the default on most search engines). If you want to find out about lethal injections, putting *+lethal* followed by a space then *+injection* in the search box in AltaVista yields 8,912 hits. Putting "lethal injection" in the search box yields 4,548 hits. This is still a lot of hits to deal with, but my general rule is if I do not find what I am looking for on the first couple of pages of returned hits, I do my search again trying to narrow it even further.

I hope this helped a little to demystify the world of Internet searches. Take the time to learn to narrow your searches, and you will generally find what you are looking for and find it relatively quickly. Read the "how to search" pages of the search engines. They are often helpful. If you are just starting out, it does get frustrating. Hang in there. The information is out there waiting for you to find it!

Web sites mentioned in this article:

| | |
|-------------|---|
| Yahoo! | http://www.yahoo.com |
| AltaVista | http://www.altavista.com |
| Excite | http://www.excite.com |
| MetaCrawler | http://www.metacrawler.com |
| Hotbot | http://www.hotbot.com |
| Lycos | http://www.lycos.com |
| AskJeeves | http://www.askjeeves.com |
| WebCrawler | http://www.webcrawler.com |

Search for Teresa on the Internet at <http://members.aol.com/tlloftin> or tlloftin@aol.com.



ONLINE Acronyms

Here are "translations" of some of the more common acronyms used online:

IMO, IMHO = In My Opinion, In My Humble Opinion
 BTW = By The Way
 FWIW = For What It's Worth
 OTOH = On The Other Hand
 GMTA = Great Minds Think Alike (this one gave me fits at first)
 GMAB = Give Me A Break (not real polite obviously. GMAFB is even less so.)
 <g>, <bg>, <vbg>, <beg> = grin, big grin, very big grin, big evil grin
 LOL = Laughing Out Loud
 ROFL = Rolling On Floor Laughing
 ROFLMAO = Rolling On Floor Laughing My A** Off
 TIA = Thanks In Advance

...and then there are "emoticons"

which generally require you to tilt your head to the left to "see."

:) or :-) = smile
 ;> or ;) = wink
 :(or :-(= sad face
 :-/ = wry face
 =:o = surprised or alarmed, hair standing on end
 :P = sticking tongue out (or "yuck")
 :* = kiss
 :-x = my lips are sealed
 { } = hugs

That should be enough to get you started. More are being created all the time, sometimes on the spur of the moment. If someone uses an acronym or emoticon you don't understand, don't be afraid to ask what it means!

— Brenda Hiatt Barber :)

INTRODUCING...

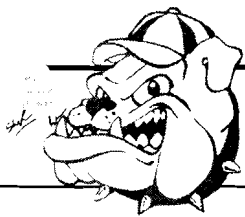
The following authors have applied for membership in NINC and are now presented by the Membership Committee to the members. If no legitimate objections are lodged with the Membership Committee within 30 days of this NINC issue, these authors shall be accepted as members of NINC:

New Applicant

Connie Flynn (Casey Roberts), Scottsdale AZ

New Members

Ann Bouricius (Annie Kimerlin),
 Gahanna OH
 Patricia Bray, Endwell NY
 Lynn Johnson (Raina Lynn),
 Foresthill CA
 Brenda Joyce, New York NY
 Jodie Larsen Nida (Jodie Larsen), Tulsa OK
 Penny Richards, Prescott AR
 Eva Rutland, Sacramento CA



ASK THE LAWYER: *Agent Concerns, "Fair Use"*

My column last month has generated some additional questions with regard to the author/agent relationship which I would like to share with you.

QUESTION: What happens when your agent just disappears, goes out-of-business, or is no longer functioning as an agent?

ANSWER: If your agent is a member of a literary agency, the literary agency will usually assign another agent to you. However, if your literary agent is a single practitioner, any of these scenarios could pose more of a problem. I would advise you to go to the publisher and ask to be paid directly if any of these problems arise. Tell the publisher that they can withhold the agent's share of the commission, but that you want to be paid your share directly. Most publishers will go along with this.

QUESTION: How do I contact the agent's estate once he is dead?

ANSWER: Again, this is not a problem if the agent is a member of a multi-agent literary agency. In the case of a single practitioner it is entirely appropriate to ask your agent for the name of his executor for use in the event anything should happen to him.

QUESTION: When the rights to a book revert back to the author from a publisher, aren't the agent's rights to a commission canceled at that point?

ANSWER: Not necessarily. If the agency agreement between you and your agent states that he or she had a right to receive a commission from the work for the duration of the copyright in the work, your agent has the right to continue to receive his or her commission. If there is no agency agreement between the author and agent and your relationship is defined by the agency clause in the publishing agreement with the publisher, then it is quite true that the agent's right to receive a commission will end when the rights in the work are reverted to you from the publisher. However, remember that if there are any sub-licenses in existence that the publisher has granted your agent continues to receive commissions on those sub-licenses.

QUESTION: From an author's point of view and hoping to protect themselves in the very best way, what kind of phrasing should the author be looking for in an agency agreement with an agent? Can you

suggest sources for sample agreements?

ANSWER: Although the agent is going to be your representative, your interests are not always going to be co-extensive. For that reason, it is entirely appropriate for you to have your literary attorney review the agency agreement before you sign it.

I also received a question on "fair use."

QUESTION: I would like to use a small snippet of a song lyric in my book. How much can I use without copyright infringement or having to get permission?

ANSWER: In general, one has to obtain permission to reproduce copyrighted material unless what is taken constitutes "fair use." What constitutes fair use is not black and white and requires some experience and judgment. Music publishers, largely because they have been very aggressive in bringing suit for copyright infringement, have managed to intimidate users and to convince courts that fair use should be very restricted in connection with lyrics. What this means is that you will need permission from a music publisher if you are using more than a few words of lyrics.

As you know, the parameters for what constitutes "fair use" is broader in other areas. While many rely on the rule of thumb of 200 words or less, this is not foolproof. One really needs to take into account how much of the original source is being taken, how much does the amount taken constitute of your work, is your work for commercial use (as opposed to scholarly use), and whether the material being utilized is published or unpublished material. The amount and kind of material that can be taken from an unpublished source is more restricted than material taken from a published source.

— Alan J. Kaufman

Alan J. Kaufman brings to this column more than 25 years of publishing legal expertise and a thorough knowledge of the business of publishing. He has been a literary agent/attorney and most recently for 19 years was senior vice president and general counsel for Penguin Books. He currently practices law with the New York-based intellectual property law firm of Frankfurt, Garbus, Klein & Selz where he specializes in publishing and media, with an expertise in copyright, libel, licensing, and contract negotiation on behalf of authors and packagers. For private, for-hire consultations, he can be reached by phone at 212-826-5579 and by fax at 212-593-9175.

Reviewers on Reviewing

At a panel at the Small Press Center in New York, reviewers from major publications gave insights on how books are chosen for review.

By **ELAINE O'GARA**

Sybil Stenberg of *Publishers Weekly* was moderator, and panelists were Barbara Hoffert, Editor, Book Review of *Library Journal*; Richard Marek, Vice President and Editorial Director of *Kirkus Reviews*; and Charles McGrath, Editor of the *New York Times* Book Review section.

All of the editors made it clear that they receive many more submissions than will fit into their publications. Authors and publishers increase their chances of getting reviewed by following guidelines. All of the above want galleys three to four months in advance of publication. They also want relevant information such as title, author (with a short bio), ISBN number, publication date, number of pages, price, and publisher's phone number.

Publishers Weekly receives 20,000 galleys each year and reviews 5,000. Their focus is prepublication reviews to the trade, including booksellers, librarians, publishers, and movie studios. With galleys they want the above information plus number of illustrations, first printing, ad/promo budget if noteworthy, and rights information if applicable.

If a small press is submitting for the first time, they should give information on distribution, number of books in the print run, and include a catalog. Ms. Stenberg added that small publishers should have a business phone. She is turned off when calling a publisher's home phone and a child answers.

They do reviews of mass market paperback books, although they review more trade paperbacks than mass market.

Kirkus Reviews prints about 4,000 copies of each issue, 3,500 of which go to libraries. They get 20,000 submissions per year. Although this figure is daunting, publishers can increase their chances of getting noticed by being kind to editors. Submissions should be as luscious as possible. Send color jackets or good color photocopies and send two copies of everything.

Other tips to remember:

- ▼ They don't carry ads and don't care if a book has a large marketing budget.
- ▼ They try to get reviewers to write in a particular style; for fiction, they are interested in a plot summary.
- ▼ *Kirkus* is on the Internet and is read by Hollywood.
- ▼ Mr. Marek said he is trying to tone down the

meanness for which *Kirkus* has been famous.

One of the main functions of reviews in *Library Journal* is to help libraries with collection development, i.e., helping librarians who have a feel for what their constituents need to know. Reviewers evaluate books and tell in what kind of library the book would be appropriate.

Again, they like to do pre-publication reviews, so libraries have time to order the books before patrons start wanting them. They make exceptions for reference books since they need to see the index, and small press books, although they wouldn't review a small press book six months after publication.

In press releases, be sure to give something about the author's background, since librarians want to know that information for their patrons.

They review Spanish books twice a year.

The *New York Times* Book Review is different from the above publications in that their reviews appear closer to publication date and are geared to consumers. They are also more selective, and are looking for books that appeal to a literate audience.

Their reviews are entertaining in their own right. Readers should be able to discuss a book at a cocktail party after reading the *Times* review.

They don't review self-published books.

They review more nonfiction than fiction, since there are eight to nine times as many nonfiction books published as fiction.

Addresses:

▼ *Publishers Weekly*, 245 W. 17th Street, New York, NY 10011. Packages sent by messenger only should go to 232 W. 18th Street, New York, NY 10011.

For questions about Forecasts guidelines, fax 212-463-6631 or call 212-463-6781.

▼ *Kirkus Reviews*, 200 Park Avenue South, New York, NY 10003. Fiction Editor: Anne Larsen; Nonfiction: Sara Gold.

▼ *Library Journal*, 245 W. 17th Street, New York, NY 10011. 212-463-6819. Fax: 212-463-6734.

▼ *New York Times* Book Review, 229 W. 43rd Street, New York, NY 10036

The First Steps:

Looking at the Brave, New E-Book World

By ARDATH MAYHAR

“Standard publishing policies often mean that books are out of stock and out of print, with no plans for printing more, before word of mouth can have any effect on sales.”

Almost two years ago, I began looking into the growing online book publishing phenomenon, feeling that under present conditions the standard print publishers no longer wanted or understood my work or that of many of my peers, though we have all been published dozens (some of us hundreds) of times by the big New York houses.

With the acquisition of so many American publishers by multinational corporations headquartered in Europe or Asia, editors no longer have the personal authority to buy good books. They must present projects to a board consisting mainly of accountants and marketers, who judge the property only by its bestseller potential. This leaves many genre and midlist authors with good books ready to go but no place to sell them.

My first venture into the online venue was with Alexandria Digital Literature, at www.alexlit.com. This is a “library” using out-of-print books and published short stories, which made it a natural first step for me. I have in my files dozens of books that were published and whose rights have been reverted to me (be sure to do that, once a book is no longer available; study your contract to see how long you have to wait after it is no longer in print). My e-mail to Alexandria resulted in an expression of interest, and we soon agreed that I should send them my 1979 Doubleday novel, *How the Gods Wove in Kyrannon*, plus a number of published short stories.

Alexandria can scan into their system a book or story that was written BC (before computers). This they did with *How the Gods Wove* and with several of the 20 short stories they are putting up on their system. They do not charge any fee for this service or for putting the works online. They do charge access fees to customers, relatively small ones so as to discourage “pirating.” They pay a nice royalty on the profit from sales, with statements twice a year. There has not yet been time for that to happen with my work there.

Here let me emphasize a hard fact: remember that nobody but you will publicize your online material. I urge you to write everyone you know. If you have e-mail correspondents, inform them and ask them to pass the word. I wrote a news release and sent it to local and area

newspapers, many of which published it. If people read that item and look up the site to dip into the work there, the potential for sales is greatly increased.

Alexlit is a wonderfully civilized outfit to deal with. Kathy Ice, the editor, has been more than cooperative. My e-mail friend William Sanders, a widely published SF writer, also has material up on their system, and we are waiting with much interest to see how this turns out. We may not make a lot of money—or any—but we will know that our brainchildren are alive and available for a long, long time to come. Look up their site, check in as a member of the library

(it costs nothing but a bit of time to do that), and examine their wares. This is the best way to begin, if you have reverted books you want to keep alive.

Not long after my material came up on Alexlit, the Science Fiction Writers of America *Bulletin* listed Xlibris as an online market, the first such market this organization had mentioned. I called up the Web site, read the publishing agreement, and was interested to learn that they would provide either an online version for download or a real book, according to the buyer’s wishes.

This company charges a fee for putting the book on the system, and they want that book either on disk or as e-mail, though they will do paper manuscripts for a bit more money. For the \$450 they charge, you could not get many copies of a self-published book, while through this system any number at all will be available for years.

The book I received a few weeks ago is handsome, on acid-free paper, with hand-sewn signatures, and a classy dust wrapper. It sells for \$25 plus \$4.95 shipping and handling, which is their standard price. It will be printed to order and shipped within four weeks. This is in the ballpark with any hardback novel in the bookstores, and most of those are not nearly the quality of these books.

For an additional \$300, Xlibris will secure your copyright notice, the Library of Congress number, and the bar code (which is expensive all by itself). They will also list it with **Amazon.com**, the online bookseller, and put it into *Books in Print*. This is a bargain in both time and money, and because of the Amazon listing it stands a good chance of resulting in solid sales over time.

Additionally, the work will be there if and when word

of mouth has a chance to kick in to interest readers, in an ever-widening ripple effect. Standard publishing policies often mean that books are out of stock and out of print, with no plans for printing more, before word of mouth can have any effect on sales. This neatly sidetracks that problem.

It also circumvents the Thor Power Tool problem, for the company *has no stock in hand*. Bytes on disks or hard drives are not equivalent to printed books in a warehouse. Therefore, the company has no need to destroy its slower-moving inventory each year.

Presently I have a query out to HardShell Word Factory at **www.hardshell.com**. This is another that is free to the author, and I will be interested to see what response I get from them.

The agreement I have signed with Alexlit confined the company's contracted rights to electronic distribution, specifically excepting other methods of publication, including printing, CDs, audiobooks, etc. If any company decides it wants to reprint the book, I am free to go to contract. The Alexlit contract, by the way, is a marvel of clarity and specific language. You need no lawyer to interpret its provisions.

I advise anyone interested in this type of publishing to read the agreements of each company clearly before deciding to work with any. There are several that contain elements to which I personally object. You may not have a problem with the same things, so print out the agreements and study them.

How do I intend to get the word out about these electronically available books? I have already mentioned news releases, but a newspaper is a short-lived thing. In addition to that and the e-mail information I have sent out, I will, this fall, begin to put ads into SF-oriented magazines, whose classifieds are rather inexpensive. A romance or mainstream or mystery novel could easily be advertised in magazines devoted to those particular fields, as well.

I intend to scan my cover onto disk, do color printouts, write suitable text, and send these, with a photocopy of the download version, to reviewers at many appropriate publications. How do I find these? Again, the Internet provides the means.

Through Lycos or AOL, you can access either the white or yellow pages of telephone directories. I typed in "newspapers" and in the slot for city/state I put the name of the city or town I wanted to cover. I compiled a thick directory of newspapers in places where I am known and where I have fans. As time goes on, I will send review packets or news releases to these, expanding the range as I have the time and money for postage.

So where do I stand at this moment?

I have spent \$450, which is minimal money for getting a book into print. I may or may not make a profit on this investment, but either way it isn't going to bankrupt me. As time goes on, there is a good chance that interest will spread, and income from these online projects will increase. Particularly if you are a long-published author, this is a viable venue.

Even the most experienced of us needs to have his/her work examined closely by someone knowledgeable. It is all too easy to leave out something vital without realizing it. Take endless trouble to make sure the quality of your work intended for this venue is very high.

Then, if you find an online publisher who will put the book onto its system, begin a before-the-fact program of publicity. Write a release for your local paper. See if the entertainment or book editor is willing to interview you. Check with radio and TV stations to see if their local news editors are interested in your new project.

Visit bookstores. Chains will not have any potential for purely online material, but small bookstores often post notices for writers and patrons. If you opt for the actual book, as with Xlibris, you may interest even chain booksellers in contacting the company and making arrangements to order the books at a discount.

Tell all your relatives!

Although I have had 40 books published, mostly by major publishers, a time came when I realized that publishing as we know it has changed drastically. With few exceptions, I do not read bestsellers. I do not intend to write them, unless that can happen by purest accident.

I write what I like to read. I have 19 completed, hitherto unpublished, novels waiting to draw their first breaths. I have 20 or 30 more available for reprint. Although I am growing old, I do not stand helpless before the stone wall that has been erected before too many who have been around publishing for several decades.

If you look closely, you will see a mean little old lady climbing over, tunneling under, or pole vaulting entirely past the problem. Never give up, and never stop figuring new ways to market your work and stimulate your career!

Although there are many more, here is my current list of preferred online publishers:

www.alexlit.com (no fee, reprints)

www.1stBooks.com (fee, originals)

www.hardshell.com (no fee, originals or reprints)

www.electricpublishing.com (no fee, originals or reprints)

Author of 60 novels, 40 of them published, Ardath Mayhar began her career with science fiction novels from Doubleday and TSR. Atheneum published several of her YA and children's novels. Changing focus, she wrote westerns (as Frank Cannon) and mountain man novels (as John Killdeer). Four prehistoric Indian books under her own name came out from Bantam. Recently she has been working with a small press in Texas, and with online publishers. A Road of Stars is her first original novel to appear online (and also in a hardback edition) from Xlibris. At the age of 68, she has no time to play games with corporate publishers and intends to see as many as possible of her remaining 20 books made available to the public.



No theme this month, just a lot of miscellaneous online or online-related goodies to share. I'll say that almost all of these were gleaned from NINCLINK (with the occasional follow-up e-mail on my part), and I want to thank everyone for so generously sharing their findings with our members. For those who want to do even more sharing, Curtiss Ann Matlock has asked me to direct your attention to the new Tips and Tools feature at our own www.ninc.com Web site. In her words, "This is advice about the writing craft and/or life. Everyone take a look at what's there now, and if you have an idea for the tips and tools, send it to me at curtissann@poboxes.com. Keep essays rather short. We'd also love one line quotes; we're going to compile a separate page of these." This should be a great way to get more interest at NINC's Web site!

Some great research sites have been mentioned on the link over the past month or so. www.wga.org/tools/WGALinks.html is the Writers Guild's list of research links—and there are tons of them. I followed their "hot link of the week" to www.theriver.com, the "Writers Resource Center and Reference Library." Definitely worth checking out! Those of you researching the Georgian period will want to try www.english.upenn.edu/~jlynch/18th/ which provides numerous links along with brief descriptions of the sites. <http://locutus.ucr.edu/~cathy/reg.html> is a Regency writer's dream, with copious information at the main site, as well as links galore to just about every Regency-related site on the Web. One very useful site for those writing historicals is www.ely.anglican.org/cgi-bin/easter which will not only tell you the date of Easter for any year (A.D., of course) but will display the entire year's calendar, which you can print out for easy reference.

A few generally useful sites include www.booktalk.com, which provides addresses and e-mail for a fair number of publishers and agents, www.asja.org/cwpage.htm, where you can subscribe and read back issues of ASJA's *Contracts Watch* newsletter, and www.bargainsigns.com, where you can order vinyl banners for book signings or tradeshow. According to at least one author who patronized them, these banners are high quality and very reasonably priced. One other interesting site is www.toexcel.com which is offering Lightning Print (print-on-demand) deals to publishers and authors. When I checked the site it looked like they still had a few kinks to work out, but this might be one to watch.

A NINCLINK discussion of various shippers (after everyone agreed that the US Post Office leaves something to be desired) turned up a few favorites. Airborne Express

seems to be one of the best. As one member said, "What I prefer about them over FedEx is the price. They are much cheaper. And with the Lightshipper (software), they give you an estimate of the cost right there while you're in the software, so you can decide between Express (before 10:00 am) or Next Day (before 3:00 pm) or Two Day. One of the best things is, they bill you rather than snag the cost immediately off your VISA." They'll also pick up from your doorstep, which is nice. Their number is 1-800-247-2676 (1-800-AIRBORNE). Their international number is 1-800-229-4685 (1-800-ABX-INTL).

Other tidbits of interest I managed to snag from our link and others: Stacy Sullivan, Promotions Coordinator for Levy Home Entertainment (one of the bigger distributors) would like to hear from authors to arrange signings. You can e-mail her at LHEstacy@aol.com. Those wanting to send review copies to Amazon.com can ship them to Stephanie Hargreaves, Editorial Department, Amazon.com, 1516 2nd Avenue, Seattle, WA 98101.

If you have stacks of old manuscripts you've been wondering what to do with, you can send them to Alison M. Scott, Head Librarian, Popular Culture Library, Bowling Green State University, Bowling Green, OH 43403. You can also e-mail Ms. Scott at ascott@bgsu.edu to ask what sorts of materials they can use. A couple of books recommended in the course of Link discussions were *City of London* by Bover (I didn't catch the first name), and *Speed Cleaning* by Jeff Beezos.

As you can see, we've ranged far and wide in our recent NINCLINK discussions. Other topics we've explored have been shyness (especially in authors) being confused with arrogance; organization tips and woes (thus the *Speed Cleaning* book); the etymology of slang and vulgar expressions (*that was a fun one!*); the pros and cons of writing a linked series; what Amazon.com's rankings really mean; how various drugs affect creativity (and other weird drug reactions); tattoos; and fairy tales and myths as the basis for stories.

Remember, to join NINCLINK, all you have to do is send an e-mail:

To: LISTSERV@PEACH.EASE.LSOFT.COM

Subject: Your-Ninc-Membership-Name (as it appears in the roster)

Body: SUBSCRIBE NINCLINK Your-First-Name Your-Last-Name

Please continue to send me any useful Web sites or online news you run across, at BrendaHB@aol.com, and thanks again to all of those who've been doing so. See you online!

— Brenda Hiatt Barber :)





EAST OF THE HUDSON

KEEP THE CHANGE

I have said it before; I do not understand why otherwise smart investors would be paying \$120 a share for a company that is a long way from turning a profit.

Except that maybe now I am beginning to understand.

The company is Amazon.com, the Internet bookseller that's based just down the road from me in trendy, hip, with-it Seattle. In the few months since going public, Amazon's stock has gone from somewhere around \$20 a share to \$120 or more, even though the company is years away from climbing out of the red ink. In a volatile market, Amazon has had its ups and downs, but every time the overall market dips hard and then climbs back, Amazon dips a little and then climbs to a new high.

Now, finally, I may have discovered why. Jayne and Frank Krentz forwarded to me a clipping that supplied a plausible explanation of Amazon founder Jeff Bezos's long-term strategy.

The clipping recounts a speech by Seth Godin, a marketing guru, to the National Conference on Database Marketing. I will quote at some length because he puts forth an intricate little argument:

"The reason Amazon.com is worth more than \$9 billion is not because Jeff (Bezos) is ever going to make money selling books that are published by someone like Random House. He can't! There's no margin there....

"But once Jeff knows the buying habits of ten million people and that three million of them bought Steven King's last book, he can pick up the phone and call Steve in Maine and say, 'Steven, what do you need Viking for?' Write your book for me and we'll split the money! Steven King makes more money. Amazon makes ten million dollars and Amazon can do a project like that every 15 minutes.

"They can become the leading book publisher in America, the leading creator of video in America, the leading music publisher in America. All because they leveraged the permission they have to talk to consumers."

Now wait a minute, I didn't say this Godin was infallible. I know that he can't spell Stephen King's name right and that he somehow missed the fact that King has moved to Scribners from Viking. He's just a guru, not a genius. But his argument is fascinating.

The Internet has had a lot of detractors, principally among folks who stand to suffer if online marketing ever does become an established force. They claim Net transactions are inherently unsafe and raise all kinds of other objections.

But Internet shopping is a reality and it's getting more powerful every day. That's why Bertelsmann and Barnes & Noble are both making major investments online. The people who Web-surf are society's most aggressive and among its most intelligent. Netheads will eventually control the world.

So, for better or for worse, the people who know how to speak to them directly will be the most powerful members of the new elite. Amazon has done a grand job of establishing itself in the public mind and that's going to translate into clout in the next decade.

Amazon wouldn't comment directly on Godin's supposition, except to say that, "Amazon does want to become the number one destination Web site for consumers."

You bet it does, but so does Microsoft. So does Disney. So does Yahoo, and so do a whole lot of other powerful corporate forces. That's what this whole battle over "Portal Control" on the Internet is really all about. He who controls the entryway to the Internet, and rakes a tenth of a cent off of every transaction that passes through that gate, will be very wealthy indeed.

What does it mean for writers? Don't know yet. As with most things, it will mean a good deal more to Steve King than it does to me. I don't think Amazon will spend much time setting up merchandising and permissions deals with somebody whose works sell in the thousands of copies.

But maybe I'm wrong. Maybe the Internet company will be able to download software (read "books") directly to my Palm Pilot or laptop reader. Maybe the big bad publishers we all love to hate will someday be a distant memory.

Then, I suppose, we can all learn to complain about Amazon's lack of attention to writers, who are, after all, the true creative forces in the world.

If it ain't one thing, it's another.

KEEP THE CHANGE II

The German Offensive has been launched. Bertelsmann, which sucked up Random House to complement its Bantam Doubleday Dell holdings, is now firmly in control. Thomas Middlehoff, Bertelsmann chief executive, is shuttling back and forth across the Atlantic at least once a month, and change is happening.

What kind of change? The outlines are becoming clear, even if the details are obscure, and the consensus is that Bertelsmann has made a commitment quite unlike any other major publishing venture in the world. ▶ ▶ ▶ ▶



EAST OF THE HUDSON

▶ ▶ ▶ ▶ *Continued from page 13*

They honest-to-goodness intend to make publishing the company's core business.

That's right. No movie studios, no bogus tie-ins between Paramount television series and Pocket paperback bestsellers like *Star Trek*, no megabuck book advances from Rupert Murdoch's HarperCollins publishing arm for high-concept thrillers that 20th Century Fox intends to turn into feature films.

Bertelsmann's Middlehoff and his No. 2, Peter Olson, have given interviews to several American media outlets in the past few months. All the reporters have gotten pretty much the same story in pretty much the same direct, frank way. The most comprehensive report of the story came from Lorne Manly of the new magazine *Brill's Content*.

Manly was highly impressed. He came very close to portraying Middlehoff and Olson as choir boys, a fitting analogy since Bertelsmann got its start in the 19th century publishing hymnals and Bibles. But the reporter asked persistent, cogent questions, and a couple of key points emerged:

▼ The Bertelsmann commitment to books is deep. Middlehoff said bluntly that the firm will eschew the strategy of others and will not, repeat, not, purchase a movie studio to complement their core business, publishing.

▼ Book clubs and online bookselling are crucial to Bertelsmann's plans, which use Amazon.com-style marketing strategies to reach potential readers. More than 25 million people worldwide belong to Bertelsmann clubs, and the Germans intend to use computer data-base information to preach targeted sermons to readers who are already converted.

The publisher will also reach out to customers through Internet operations, such as AOL, the online leader. Bertelsmann already understands the potential of the Internet quite well. In 1995, Middlehoff persuaded his board of directors to buy a five percent stake in AOL for \$50 million. It was a pretty good deal. Three years later, the Germans sold a *quarter* of the AOL stake for \$111 million, retaining the remaining 3.75 percent, which now has a value of \$632 million. In other words, the initial investment has proven to be worth fifteen times its cost.

▼ The Germans can be refreshingly, maybe stunningly, blunt in their analysis of books and the book business. Listen, for example, to what Peter Olson told *Content*: "The market doesn't owe a livelihood to someone who writes books that no one wants to read."

New York is full of publishers who might have that same thought, but they don't often go on record quite so bluntly.

Olson and the other number-crunchers go even further, suggesting that books with sales expectations of fewer than four thousand hardback copies probably won't get published at all under the new regime. Ten thousand copies seems to be the target at which they will shoot.

I don't know about you but I know I've had what seemed like successful books that sold considerably fewer than ten thousand copies. On the other hand, Bertelsmann is using that benchmark at a time when other publishing companies are only looking for projects that will sell ten times that many copies.

▼ Bertelsmann has carved out a position that looks author-friendly in certain regards. For instance, Random House is publishing the memoirs of Chris Patten, the last British governor of Hong Kong, a project that was canned by HarperCollins's Rupert Murdoch because he feared it would hurt his efforts to do business with the Chinese government.

During the Random House sales conference at which the Patten book was presented, Peter Olson acknowledged that Bertelsmann has significant business interests in China, just like Murdoch. But Olson made it forcefully clear that the Patten book had the full support of the corporate hierarchy in Germany.

Nor does the Munich Mafia intend to cut back on the number of titles published under its umbrella, another reason for writers to take heart. In an era when most of the publishers in New York take lessons from Edward Scissorhands, that's refreshing.

There are still some questions to be answered. Agents and authors will wait to see whether the new combination of BDD and RH will mean a general reduction in competition. Undoubtedly, the German bosses won't tolerate bidding wars between the two, as there once were, but the new regime says it will tolerate some internal competition between imprints.

Bertelsmann has done a very good job of relating to writers, but booksellers are less sanguine. BOL.com, the working name of the Bertelsmann online book and music sales venue, is regarded by some independent booksellers as untoward competition, particularly since it apparently will offer books from other publishers, as well as Bertelsmann products. That means BOL.com will look more like Amazon.com than like a standard publisher's Web site. That makes independent bookstores very nervous.

The Germans have shown they aren't bound by American history. They have already challenged the return system that has threatened to choke publishing in recent years. Instead of shoving thousands of extra copies into stores and then taking many of them back, Bertelsmann has upgraded



its information system and streamlined the printing process, making marketing more responsive to demand and reducing its return rate by almost 50 percent.

Bertelsmann has also invested in electronic books and is developing a print-on-demand system that allows for print runs of as few as 20 copies, according to Manly, who started out sounding like a skeptical reporter and ended up blathering like a Teutonic spin doctor. To read *Content's* version of the story, Middlehoff and Olson might even be able to get the Italian trains to run on time again, someday.

Which is more than Alberto Vitale was able to do.

(There I go again. Sorry, Alberto, I just can't help myself.)

THROW THEM SOME PEANUTS!

New York is under siege.

No, it's not the waves of Puerto Ricans and ethnic Russians lining the rails of the boats sailing past Ellis Island.

And it's certainly not the crush of traffic tied up by President Clinton's frequent visits to the United Nations, where he is more popular than Kofi Annan.

No, friends, Manhattanites are sick and tired of being crushed, bumped, and brushed by millions and millions of us. Visitors. Out-of-towners.

Or, to use an epithet, TOURISTS!

David Kirby, a *New York Times* writer, reported recently that 33 million of us outsiders spent more than \$13.7 billion eating outrageously expensive food, drinking mediocre wine at *haute* prices, riding taxis piloted by rude or demented immigrants who know the back of the moon better than they do Manhattan, and sleeping in hotels that charge five-star prices for two-star accommodations.

And you know what Kirby discovered? That most true New Yorkers wish we would just stay at home. Put more politely, we, the "camera-toting masses," are creating what he calls "quality-of-life problems."

In support of that contention, Kirby quoted an artist in SoHo who is having trouble concentrating on whatever precious little *Piss-Christ* creation she was putting together. It's not that her artistic font has dried up, she whined. It's that she can't work, what with the crush of tour buses, the guides with bullhorns promising a look at a "real SoHo artist," and the never-ending flow of uncultured louts with video cameras and foreign (read "Alabama") accents.

This struggling artist told Kirby she has to keep her second-floor blinds closed. "When I don't, they photograph and videotape right into my space, often even point at me as if I'm an animal in a zoo; it's a continual disruption."

(Hey look, lady, I've got distractions, too, okay? I

mean, bald eagles and peregrine falcons in the tree outside my office window. Orcas and Dall's porpoises turning slowly on the surface of Rosario Strait. So grow effing-up, all right? You aren't the only one with problems. On a per capita basis, I can match our tourists with yours, any day.)

Kirby discovered that some New Yorkers are so disturbed by the crush that they shop on Friday night and then stay home, inside, all weekend long. The source of this information was identified as Julian Vigo, "a cultural studies theorist who is an adjunct faculty member at the Gallatin School of Individualized Studies at New York University."

(Hell, I'd take a package tour of New York, too, if they promised to show me someone with a touchy-feely job title longer than an elephant's trunk.)

(Sorry, I just had oral surgery and am taking it out on whatever is within reach. Not my mate. She booked. Knows me too well.)

The point of this long *NYT* stemwinder seems to have been that there is so much tourism in New York that the town's quaint charm may soon be ruined.

For instance, SRO hotels, (a term so common that the *Times* didn't bother to define but that I think means "single-room-occupancy," or, in plain terms, "flop-houses") are being recycled into tourist hostels. Apartment houses are being bootlegged into "bed-and-breakfasts" to supply tourist demand for lodging at less than \$300 a night.

Traffic is horrible, museums are crowded, and shows are sold out. Rusting bridges are carrying more and heavier vehicles than they were intended to carry; double-decker tour buses are often so old they are exempt from EPA regulation, and nobody seems to have factored tourists into the capacity limits of the city's sewage treatment facilities.

Ain't that just awful?

Now, I live in a town that's having a referendum next month over whether to allow a third supermarket to be built, so all this puzzling over tourism seems distant. But, I pass the news on so that the next time your editor seems a little peckish, you can chalk it up to the crush on Fifth Avenue at lunch time.

And maybe you can cheer him or her up by suggesting they go out on the streets and meet some of those bumbling rubes, even sitting down and talking with them.

After all, those tourists are probably book buyers, too, when they get home.

Manhattan, welcome to the United States of America. You're part of the country, whether you like it or not.

Nobody asked us whether *we* liked it.

— Evan Maxwell



The Fast Track

Compiled by MARILYN PAPPANO

NINC Members on the USA Today List

The Fast Track is a monthly report on Novelists, Inc. members on the USA Today top 150 bestseller list. (A letter "n" after the position indicates that the title is new on the list that week.) Members should send **Marilyn Pappano** a postcard alerting her to upcoming books, especially those in

multi-author anthologies, which are often listed by last names only. Marilyn's phone/fax number is 918-227-1608, fax 918-227-1601 or online: pappano@ionet.net. Internet surfers can find the list at: <http://www.usatoday.com>. Members who write under pseudonyms should notify Marilyn at any of the above "addresses" to assure their listing in "Fast Track."

| Member | Title | Sept 3 | Sept 10 | Sept 17 | Sept 24 |
|--|--|----------|---------|---------|---------|
| Sandra Brown | <i>Led Astray</i> , Mira | 20 | 32 | 52 | 78 |
| Catherine Coulter | <i>The Deception</i> , Topaz | | 11n | 7 | 23 |
| Diane Mott Davidson | <i>The Grilling Season</i> , Bantam | 41 | 55 | 77 | 106 |
| Diane Mott Davidson | <i>Prime Cut</i> , Bantam | | 142n | 113 | |
| Christina Dodd | <i>That Scandalous Evening</i> , Avon | 68 | 96 | | |
| Dorothy Garlock | <i>With Hope</i> , Warner | 49 | 81 | | |
| Julie Garwood | <i>Come the Spring</i> , Pocket | | | 20n | 13 |
| Leigh Greenwood | <i>Chet</i> , Leisure | 119 | | | |
| Nora Hess | <i>Tanner</i> , Leisure | 88 | | | |
| Linda Howard | <i>Now You See Her</i> , Pocket | 113 | | | |
| Linda Howard | <i>Loving Evangeline</i> , Mira | | | 83n | 72 |
| Iris Johansen | <i>And Then You Die</i> , Bantam | | 17n | 9 | 24 |
| Jayne Ann Krentz | <i>Sharp Edges</i> , Pocket | 45 | 63 | 100 | 115 |
| Jayne Ann Krentz | <i>Flash</i> , Pocket | | | 71n | 71 |
| Stephanie Laurens | <i>A Rake's Vow</i> , Avon | | | 199 | 145 |
| Cait London, Sherryl Woods, et al. * | <i>Maternity Leave</i> , Silhouette | 139 n | | | |
| Elizabeth Lowell | <i>Amber Beach</i> , Avon | | 14n | 8 | 27 |
| Elizabeth Lowell | <i>Jade Island</i> , Avon | | 82n | 84 | 141 |
| Debbie Macomber, Susan Wiggs, et al. * | <i>That Summer Place</i> , Mira | 103 | | | |
| Kat Martin | <i>Wicked Promise</i> , St. Martin's Press | | 138n | 63 | 86 |
| Nora Roberts | <i>Rising Tides</i> , Jove | 30 | 40 | 57 | 79 |
| Nora Roberts | <i>The Winning Hand</i> , Silhouette | | 187 | 43 | 52 |
| Nora Roberts | <i>Sea Swept</i> , Jove | 108 | 121 | 139 | |

* et al.: written with other author(s) who aren't members of Novelists, Inc.

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