NINK

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Starting Small, But Thinking Large

BY TRISH JENSEN

Once upon a time in a hotel room far, far, away six best-selling authors (Debra Dixon, Deborah Smith, Donna Ball, Sandra Chastain, Virgina Ellis, and Nancy Knight...shortly followed by Martha Shields Crockett) did something not welcomed by all of their Big Six publishers. They got together at a conference and talked. Heaven forbid. This was in 1999.

These authors weren't unhappy, necessarily; they just weren't certain their publishers were right. In fact, they were worried that their publishers were short-sighted and ignoring opportunities when it came to wooing readers and helping their authors with discoverability. What to do, what to do? Wait a minute. How about listening to the authors and doing it their way? Although none will admit it, since they didn't record the conversation (or won't admit to recording for posterity) some swear one said, "Given the new distribution mechanisms, anyone with half a brain would start a publishing company."



Voilà!

As they continued to talk, an idea was formed, which became, in 2000, a tiny company called BelleBooks. They definitely started small, with one book called *Sweet Tea and Jesus Shoes*, that "blew past all of our expectations", according to CEO and Publisher Debra Dixon and which, incidentally, still sells well more than a decade later. They slowly added more titles, they experimented, and learned publishing *their* way with *their* vision.

A funny thing happened on the way to success: they realized early on that e-books were the wave of the

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future, and they were already talking about "discoverability" and "long-tail publishing"—ideas that the Big Six publishers and other industry professionals are just now talking about as if they're new concepts.

Those first six authors, sitting around talking at a conference, were on to something. And this, folks, is the reason BelleBooks grew and expanded. When I asked Ms. Dixon how the goals changed as the company grew, she said, "Our primary goals have never changed: find readers, sell

Novelists, Inc.

FOUNDED IN 1989

Founders

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Maggie Osborne Marianne Shock

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2012 Conference

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Complete committee member listings are available on the website:

http://www.ninc.com

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Tonya Wilkerson, Varney and Assoc. Novelists, Inc. P.O. Box 2037 Manhattan KS 66505 Fax: 785-537-1877 Ninc@varney.com

Website:

http://www.Ninc.com

Address changes may be made on the website.

For members without Internet access, send changes to the Central Coordinator.

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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 15 days of this Nink issue, these authors shall be accepted as members of NINC. For further information or to recommend eligible writers, contact:

> Membership Chair: James LePore leporej5@optonline.net

New Applicants:

Leah Hodge (Liliana Hart), Midlothian, TX Allison Pang, Manassas, VA Linda Tuck-Jenkins (Mary Clay), New Smyrna Beach, FL, Freda Lightfoot, Bedar, Almeria, Spain Fiona Palmer, Pingaring, Western Australia, Australia

New Members:

Susan Anderson (Lindsay Randall), Smethport, PA Linda Goodnight, Wewoka, OK Louise Marley (Toby Bishop), Redmond, WA Diane Perkins (Diane Gaston), Burke, VA laye Wells, Plano, TX

NINC has room to grow...

Recommend membership to your colleagues. Prospective members may apply online at http://www.ninc.com. Refer members at ninc.com. Go to Members Only, "Member Services" and click "Refer a New Member to NINC." Take NINC brochures to conferences. Email Pari Taichert with your mailing address and requested number of booklets. ptaichert@comcast.net.

NINC Statement of Principle

Novelists, Inc., in acknowledgment of the crucial creative contributions novelists make to society, asserts the right of novelists to be treated with dignity and in good faith; to be recognized as the sole owners of their literary creations; to be fairly compensated for their creations when other entities are profiting from those creations; and to be accorded the respect and support of the society they serve.

It's that time again...

The 2012 Nominating Committee is putting out a call to members to step forward and volunteer for service in 2013.

Here's what we're looking for:

President-elect: This is basically a training period before taking the position as President the following year (2014). Believe me when I say it's a necessity. It's the year you'll have skilled people to guide you as you learn all about the workings of NINC. It is time-consuming, to a point, but it's also rewarding. If you'd like to learn more about it, just pop me an e-mail at donna@donnafletcher.com and I'll be happy to discuss it with you.

Secretary: Okay folks, there have to be quite a few of you out there who have held this position at one time or another for an organization. How about sharing your expertise with NINC? And for those who haven't, the position isn't only a matter of taking meeting minutes. It involves a bit more, so for those who would like to learn the details, get in touch with NINC's present secretary Denise Agnew at danovelist@cox.net. She'll be glad to tell you all about it.

Nine candidates to run for the 2013 Nominating Committee: Nine will run and five will be elected and it will be their job to find candidates for 2014. Not all that time-consuming but extremely important to NINC. These members will have a direct hand in finding members to serve on the NINC Board.

Help keep NINC a viable, thriving, outstanding organization... volunteer! Have any questions or suggestions, please get in touch.

donna@donnafletcher.com

Thanks all and looking forward to my e-mail box overflowing with volunteers.

Donna Fletcher

Nominating Chair

Volunteers Are Always Welcome!

Along with Board positions offering leadership opportunities, NINC can always make use of every member who will pitch in. We've an exciting Conference in NYC this year (see page 6) as well as ongoing committees and we invite you to add your voice and your ideas to keeping NINC strong and moving forward.



Starting Small, But Thinking Large

Continued from page I books. Our definition of success has frequently changed in the course of our history. A successful book 'looks' different today than two years ago, four years ago, eight years ago, etc. The mechanisms of success have changed. The timetables for success have changed. Our goals for individual authors have changed."

And so has BelleBooks. As they expanded their view of future possibilities, they decided to expand their list of books and authors. Thus, Bell Bridge Books was born (bridging into mass market). This "subset" of the BelleBooks family encompasses everything that didn't fit in the Southern Fiction category, and now, amazingly, comprises 99 percent of the books they acquire and publish.

Expanding was not an easy task, according to Ms. Dixon. "We had to do some convincing of librarians and booksellers at tradeshows. They'd arrive at our booths and almost accuse us of trickery when they blurted, 'This isn't Southern!" It took nearly two years before the aforementioned finally accepted the company was about more than Southern Fiction.

She added, "We're happy to have been ahead of the curve in reconfiguring our model to rely less on 'books on shelves' and more on 'discoverability' techniques and establishing the brand for authors so that readers trust the publisher to deliver great reads."

One of the funny (or not so funny) lingering assumptions held by outside authors is that since the company is a small press, it is e-book only, or *maybe* POD as well. That is so not true. As a small publisher, they still publish their books first as trade paperback, and next as e-books. They have a tremendous structure in place for offering their authors visibility, discoverability, and long-tail sales. They believe in long-tail. They probably won't go so far as saying they invented long-tail, but it was a goal from the beginning. They never give up on a title or on an author.

Belle/Bell has done it over and over again with several authors, whom they published in one month, and several months later brought out another promotion that brought that author back into the Top 10 or Top 100 on the bestseller lists. As Ms. Dixon said, "We never give up on a title. We find a way to bring it back to life."

When I asked BelleBooks/Bell Bridge authors to tell me how they felt about working with the company, I was overwhelmed with responses. It would have been more intriguing for anyone to say they were disappointed. Instead, I received a boatload of answers about how impressed, excited, happy they were. In fact the loop of BelleAuthors inundated me with their responses.

One of the fun ones was from Lisa Scott, a new author. She relayed that she emailed Deb Smith on a Saturday afternoon, and was offered a one-book contract within a half an hour. By Sunday morning, Deb Smith and Deb Dixon offered her a two-book deal instead.

And then there's Barbara Keiler, who writes as Judith Arnold, the bestselling author of over 85 books. She said, "Two reasons I'm happy to be writing for BelleBooks/Bell Bridge Books: Artistic: the publisher loves and supports what I'm writing, doesn't demand that I contort my story so it will fit neatly into a genre box, and treats my fragile ego with utter tenderness. Commercial: the publisher is not locked into 20th-century publishing strategies, but instead relies on a long-tail publishing model well suited to the way books are bought and consumed in the 21st century."

There were so many Bell Bridge/Books author comments to quote, but the bottom line in all of them was sheer happiness at how they were treated, how they were edited, and most importantly how they were paid.

One author reported to me that she was shocked at her royalties on a book first published by Bell Bridge in 2010. So much more money than she ever expected, even though she enjoyed the results of a 2011 promotional buzz Bell Bridge put out on that old book. And her projected first royalties from a reprint that will end up being almost half of what she earned in total in its first print. And it sold well in its first print. In fact, it was

her first book to hit *USAToday* the first time around. The second time around with Bell Bridge was a pleasurable shock.

Authors are happy, there's no doubt about it. They love how they're treated, respected, and paid.

This is a small (but growing fast) publisher that seems to be doing things right. And for those who are looking for that publisher who will happily consider that book of your heart that the Big Six doesn't know how to market, a very viable alternative.

You can find them at www.BelleBooks.com if you want to check out their submission policies, learn more about their philosophy, and see the wide variety of books they're publishing. You'll also find the high-level authors they're attracting, and the gorgeous covers they're producing. Checking out their website is a wild, thrilling ride. And, according to their authors, so is writing for them.

Trish Jensen is a USA Today Bestselling author of 15 books and anthologies. Her two latest releases are Stuck With You (January 2011, being released in audio in May) and coming in April, The Harder They Fall.

Business Briefs

Compiled by Sally Hawkes

Amazon - Bully or Entrepreneur?

Over the past few months Barnes & Noble, Books-A-Million and IndieCommerce all decided not to carry Amazon Publishing titles, including Houghton Mifflin Harcourt's New Harvest imprint. This is in response to a number of practices by Amazon that are cited by many sources as not in the interest of readers, or the publishing industry. For example, the Amazon print catalog has been available to all, but Amazon's e-books have been exclusive and not available for sale by other retailers. The encouragement of "show-rooming" by Amazon during the holiday shopping season was another mark against them. This practice involved Amazon urging its customers to go into brick-and-mortar stores on Dec. 10, use their Amazon price check app to compare prices, and then purchase their books from Amazon while in the store. In return, Amazon would give them up to \$15 off those purchases.

The most recent organization to join the boycott is the Independent Publishers Group, which chose not to renew its contract with Amazon in February and pulled all Education Development Corporation Usborne titles from Amazon. Additionally, Science Fiction & Fantasy Writers of America removed links to any books on Amazon, unless Amazon was the only source. There is a rumor Amazon is reconsidering its policy of exclusivity.

Nancy K. Herther, InfoToday.com

Justice Department Investigating Publishers

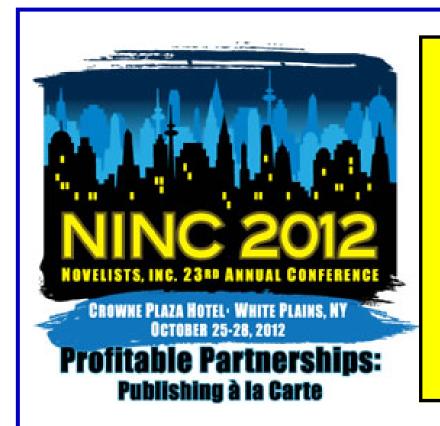
Are Apple, Penguin, Hachette Book Group, Macmillan, HarperCollins and Simon & Schuster plotting to increase e-book prices by supporting the agency pricing model? The DOJ is asking the same question. The department is engaged in an ongoing investigation to determine if the publishers' efforts to combat Amazon's proposed pricing of \$9.99 can be considered an antitrust issue. The Big 6 maintain the e-book industry is flourishing under the agency model and increasing the numbers of books for sale. The Department of Justice remains skeptical.

PW Daily

Al Zuckerman Steps Down

Al Zuckerman has stepped down from his position of chairman at Writers House, the powerhouse literary agency he founded in the mid-70s. Amy Berkower will take over the reins as chairman and Simon Lipskar will take her place as president.

GalleyCat



Profitable Partnerships: Publishing à la Carte

October 25-28, 2012 Crowne Plaza White Plains NY

Fee for NINC Members: \$375

(includes both First Word and Conference!)
Payable in one lump sum or three payments of \$125

Fee for Industry Professionals: \$260 for First Word and Conference, or \$110 Conference only

Special One-Day program open to all writers and industry professionals:

First Word: Exploring Publishing Partnership Opportunities
October 25, 2012

Fee: \$150; includes lunch and dinner (NINC members: this cost is included in your conference fee)

Registration Information is available at www.ninc.com

Industry Professionals are welcome! Make sure to tell your editors, agents, and other publishing professionals.

Overview of NINC-NY 2012

BY KELLY McCLYMER AND MEREDITH EFKEN, 2012 CONFERENCE CO-CHAIRS

NINC-NY 2012 will build on the great work done in our last two conferences; we'll use that new empowerment to develop partnerships with various publishing professionals.

First, we've recognized how important our one-day open-to-all forums have become and have given that first day of the conference a new name: First Word. This year, our panel of special industry guests and authors will focus on discussing the new partnership opportunities available for all authors, from bestseller to indie. Here is a sneak peek at the topics to be covered:

Partnering to Raise Your Profile

- ▶ How do you decipher the marketing campaign your publisher presents you?
- ► How do you supplement that campaign if you're not satisfied or if your publisher tells you this is your responsibility?
- ▶ What do readers really expect from writers? Do we really need to be available on social media 24/7?
- What sort of marketing actually sells books right now and how much does that cost?

Partnering for Quality

- ▶ Quality Editing: What kind of editing will help you make your book a keeper? Do you need a freelance editor, even if a major house is publishing you?
- ▶ Quality Covers: What subliminal messages do professional covers send that those designed by amateurs do not? How can you get your quality package to sell itself?
- ▶ Projecting Quality: How does everything from the look of your website to the content of your tweets send the message that you're a writer of substance?

Partnering for Sales

- ▶ What approaches are working with readers in the physical and online bookstore worlds?
- ► How can you do a virtual booksigning (even in a physical bookstore)?
- ▶ What kind of promotional opportunities are the big retailers offering to writers, both virtual and instore?
- ► What do you need your publisher to do for you to give your book a fighting chance? Partnering to Expand Your Reach
- North American book sales are only the tip of the iceberg. Exploiting all of the rights to their work has always been critical for writers. Now, as the business evolves, it is becoming increasingly important to others in the partnership stream. A diverse panel of publishing pros will show you where the opportunities are.
- ▶ How are the best agents concentrating more intently on maximizing their clients' income sources?
- ▶ What are major publishers doing to justify their control of your subsidiary rights?
- ▶ Are there opportunities with comics companies and videogame companies?
- ▶ What's the latest with performance rights?
- ▶ Where are the new income streams?

After the NINC one-day *First Word* forum gets us all thinking about ways we can build publishing partnerships, it's time for the conference to really begin. This year we will offer the usual in-depth workshops and panels, but with a twist:

NINCThink Roundtables

These will bring NINC members and industry guests together for informal discussions of the hottest issues in fiction publishing today and will run as a separate "track" in conjunction with our traditional sessions.

Each roundtable will include a panel of no more than 12 people, comprised of NINC members and industry guests. Every person taking part in a roundtable discussion will get to submit a question relating to that topic, and the questions will be drawn at random by the group moderator. Then the group is unleashed for an hour to discuss the topic. Conference attendees who are not on the panel are welcome to attend and "eavesdrop" on the discussion, although no additional questions or comments will be taken during the session.

We'll update you here in *Nink* and on the conference website as we assign our industry guests to roundtable groups. We'll also announce how *you* can win a slot on one of the roundtables later this year. For now, we'll just give you a sneak peek of the topics:

Know When To Hold Them, Know When To Fold Them: Decision Making in a Tough Market This discussion will focus on the process of decision making—how people evaluate their options, especially when it comes to traditional contracts and working relationships with agents, editors, publishers, etc. How do you know how hard to push? How do you figure out what is worth it and what isn't? What factors should be considered and weighed? Who should be consulted and how? *Traditional Publishing Focus*.

Penny-wise, Pound-Foolish Sales Strategies This discussion focuses on specific sales strategies in selling e-books, particularly self-published ones. It will cover the benefits and drawbacks of exclusivity, free promotions, the timing of promotions, and coordinating with a traditional publisher (if one is involved for other books), and things to consider if the author also has a traditional contract involved. *Indiele-book focus*.

Role of the Agent in a Changing Marketplace This discussion will include what agents are doing to serve the needs of both traditionally published and self-published authors. It also covers the conflict of

interest questions, communication, agreements (such as when a traditional author wishes to self-publish), and other agent-related topics. *Indie and Traditional Focus*.

Going Indie or Going Traditional? This discussion will go beyond previous panels that basically were "here's what we can do for you" presentations. We want to get at the thought processes of the authors, and the mindset of the industry guests, and hear how people weigh the considerations when approaching this very personal question. And we want our industry guests to be able to ask questions and understand our authors as well. Indie and Traditional Focus.

Promotion Planning This discussion will include topics such as how to decide what kind of promotion is best for you, how to develop a marketing/promotion plan and tailor it to the individual, and how to evaluate what is working and what isn't. This discussion is about the process, not individual types of promotion. We want to hear from publishing-house people, freelancers, authors, and retailers to find out what they're seeing working or not. *Indie and Traditional Focus*.

This Just In....

Speakers who will be appearing at NINC-NY 2012:

Barbara Freethy, whose traditionally published *and* indie published books have made the *New York Times* Bestseller lists

Robert Gottlieb, Chairman, Trident Media Group, LLC

Liz Scheier, Editorial Director, Digital Content at Barnes & Noble

Jennifer Brehl, Editorial Director, Morrow

And we're just getting started...

Nurturing the Creative Spirit in a Number-Crunching World In response to member requests, this session will address the creative process and how to handle burn-out, discouragement, etc., from the perspective of how authors' creative processes affect and impact the author and the publishing team—whether that team is a traditional publishing team or an independent team of freelancers. *Traditional and Indie Focus*.

What Does "Quality Fiction" Mean? This conversation will be a continuation of the First Word panel on quality and will address what quality looks like in a digital world that doesn't have the traditional gate-keepers, and where the readers are increasingly playing that role for themselves. What is "quality" these days? Indie focus, but also relevant to Traditionally published authors.

In the Other Person's Shoes: How to Work with Your Support Team This is not a "how to work with your editor/agent" discussion, since we all ought to know that part by now. Sometimes, though, we have misunderstandings with other members of our publishing teams (bloggers, freelance editors, graphics designers, in-house sales and promotions people, etc.) and mismatched expectations of each other. This discussion will be about communication, etiquette, building a supportive relationship, what we misunderstand about each other, and what we need to know about each other to have a good working relationship as a team. Traditional and Indie Focus.

Subsidiary Rights and Tie-in Products This discussion will be about which subsidiary and tie-in options are important to pursue, which ones aren't, and whether they are important enough to look for an agent who will sell them. We'll also discuss

how important is it to fight for them, and whether it's better to let a publisher handle them, or handle them on our own? For example, what rights do we have to have in order to do things like make a music video based on book, especially if we want to sell it? We will talk about specific rights and tie-ins, but not in great depth—just enough to discuss their relative merits and thoughts on the best way to handle them. Also, as with other discussions, we want the focus to be on the process of evaluating these options, seeking the insight of our industry guests as well. Mostly Traditional focus, but could be of interest in some areas to Indie as well.

Creatively Connecting with Readers In this discussion, we will focus on what is working and what isn't when it comes to our readers. This discussion will bridge the gap between what authors know about their readers and what insight publishers have about their authors' readers. *Indie and Traditional Focus.*

Weathering The New Publishing Landscape: Rolling With It

BY DENISE A. AGNEW

There's no denying it. The landscape of publishing has changed drastically in the last few years. Okay, people can deny it, but the writing is on the wall. No pun intended. Whether authors care for the changes or not, they're happening. Sometimes it is easier to just hope things will go back to the way they were before epublishing became a viable publishing alternative. That isn't going to happen.

New York publishing houses will continue to make business decisions based on the bottom line and in the current economic climate that means small advances, less marketing money for the midlist, and leaning toward book purchases they believe will be sure moneymakers. (Can anyone say more Snooki books?) Even small-press houses will continue to make decisions based on what serves their bottom line and the potential for growing their business.

It has always been an author's responsibility to take control of all aspects of his or her writing career and it's no different now.

Yes, I know what you're thinking: Tell me something I don't know, Denise.

I'll give it my best shot.

This is a tough time for authors. Yet authors are tough cookies. Weathering the storm and uncertainty is easier for some than others, but there are steps you can take to discover what you want to do and to base your decision on facts and not fears. Did I just say that out loud? Yes. Fear is a huge factor in the human decision-making chain. I could write a million articles on fear and the psychology of why it is easier for some individuals to change careers, change locations, or learn something new. This subject is so big it's hard to know what to approach first, the chicken or the egg.

Facts vs. Fears, or Fear Will Smother You

If you're traditionally published, then I ask: are you comfortable with your current situation? If not, are you considering options? If not, is it because you are afraid of approaching the self-publishing or digital-first landscape or is it because you don't know anything about it? A pro/con list might help you. Write a con list of all your fears about going into this new publishing landscape. Write a list of why it would benefit you to look at other options. Put the lists side by side and see which statements are based on what you know as a fact, or what you believe and have no facts to support.

It's human to retreat and grow fearful whenever there is a major change, and especially in large industries. If your reluctance is based on fear more than a solid assessment of pros and cons, fear of those changes can paralyze your ability to adapt. Sometimes, when you've been in the business a long time, you've made numerous changes over the years. You've grown with the industry and now you feel you've experienced one too many changes. You're tired. Flexing those change muscles one more time feels like it is going to kill you. This is perfectly understandable and legitimate. Still, it doesn't let you off the hook. You still have to decide if it's time to leap into the next possibility or stay put. And as a famous television psychologist often says, "How's that workin' for you?"

Taking A Leap Of Possibilities

Do you want to try other genres and want more personal freedom to write what you want and when you want? If you decide a look at self-publishing/small press/digital is a possibility for you, it's time to make

certain you understand what's out there. Consult with individuals who have experience with these publishing options. Authors who've already been deep into the digital landscape can answer questions and perhaps alleviate unfounded fears by giving you the benefit of their experience. Consult authors who've been in the epublishing world for several years. Ask authors from traditional publishing venues who've enjoyed recent success in the new landscape. Don't rely on one person's opinion before you make a decision on whether electronic publishing/small press is for you. (Novelists, Inc. has a ton of members who have stepped into these waters already and you can benefit from their experience, so just ask.)

Blending

Can you do self-publishing, digital-first, and New York traditional publishing all at the same time? Yes. Does this mean that your publishing career is dead if you decide to stay purely with the print-publishing world? Certainly not. In fact, for you it may be perfectly reasonable and right to stick with your traditional publishing house. You may need to work with your agent or a literary lawyer to make sure your electronic rights are intact. If there are backlist books that you believe you could self-publish, that is certainly an option once you get your rights back. You may want to approach a small press/digital-first house to publish your backlist books if you still want the support of in-house cover art, editing, and possibly some marketing. Some small press/digital-first houses like Ellora's Cave (yes, they do publish works that are not erotic romance) and Samhain Publishing are republishing older works.

It's Not Over Until It's Over

I've just touched the tip of that Titanic iceberg, and there's certainly far more to discuss. Publishing is a growing and changing market that will continue to throw us the occasional curve ball. But I believe NINC authors are savvy, smart, and more than capable of approaching these changes with heads held high and armed with the best information to make the right decisions. Don't give up. The fun is just beginning.

Romantic Times Book Reviews calls Denise Agnew's romantic suspense novels "top-notch," and she's received their coveted Top Pick rating. Denise has written paranormal, romantic comedy, contemporary, historical, erotic romance, and romantic suspense. Archaeology and archery have crept into her work, and travels through England, Ireland, Scotland, and Wales have added to a lifetime of story ideas. A newly-minted paranormal investigator, Denise looks forward to exploring the unknown. Visit Denise's website at www.deniseagnew.com

Business Briefs

Suzanne Collins is Kindle's Bestselling Author

Suzanne Collins, author of the wildly popular *Hunger Games* trilogy, has become Kindle's all-time bestselling author. It's a significant move up from her June 2011 perch as the first children's author to sell one million Kindle editions.

GalleyCat

Watch Out!

MediaBistro has launched an ongoing series of publishing innovators to watch. The site's list of Five e-Book Publishing Experts to Watch includes Mark Coker, founder of SmashWords; Jane Friedman, CEO and co-founder of Open Road Integrated Media; Molly Barton, Global Director of Digital at Penguin; Andrew Savikas, CEO of Safari Books Online; and Jesse Potash, founder of Pubslush.

BookNewser/MediaBistro

Movers and Shakers

MarySue Ricci has returned to Simon & Schuster as editor-in-chief of its adult trade imprint. She had left the firm in 2010 to become Editorial Director of the Putnam Imprint at Penguin.

MediaBistro

e-Book Library Lending...Are Librarians Really the Bad Guys?

BY SALLY HAWKES

Disclaimer: As most of you know, I am a librarian as well as an author. Can you say conflicted? I feel like I'm on a teeter-totter half the time. I'll take one side, and then switch back, depending on the issue. The e-book lending question is a tough issue. Truthfully, the library groups really aren't concerned about the authors; they are focused on supplying books and on their budget. The pricing models that provide e-books are strange, and shifting constantly. The current price model used by Overdrive is to the aggregator's advantage, charging for both the book licenses and use of their platform (and that's an entirely different article).

ALA Goes to NYC

In February after the ALA Midwinter Conference, American Library Association executives headed to New York City to meet with the CEOs and other executives of various publishers—Penguin, Macmillan, Random House, Simon & Schuster, and Perseus. They wanted to discuss the librarians' position on lending e-books and discover what issues were causing problems with the publishers.

The ALA contingent stressed the buying power of libraries as well as their contribution to discoverability for new authors and mid-list authors. They discussed the mutual efforts of libraries and publishers to continue with this service to authors with e-books. As for the publishers that aren't providing e-books, there seemed to be misconceptions about library lending. The major fallacy is that once a library puts a link on their web page to access an e-book, anyone could download a copy.

For some reason the publishers felt more secure about print book lending that is a two-step process with library users going to the library to pick up and then return a print book. They figured if it was easier to get a digital copy, then book purchasers would stop buying and borrow a library e-book instead. They don't understand that while the means to check out an e-book is evolving, it still isn't a seamless process. The means to get an e-book varies with the company that supplies the e-book.

Only Overdrive works directly with Amazon. Some libraries purchase from Barnes & Noble or Amazon directly and download to e-readers for checkout. The download to an e-reader has to be done at the library. Also, libraries are only licensed for a specific number of digital copies. While the library may purchase five print copies of a popular title, they are probably only purchasing one e-book copy. That single e-book copy makes for a long waiting list for the digital version. Overdrive is reported to be working on a limited license to allow multi e-book copies for six-month periods. There are some libraries that are offering a "buy now" button that takes to them to a bookstore to purchase a copy.

So far nothing has been settled and the issue of archiving digital formats has yet to be discussed. Ironically, one of the results of the discussions was Random House announcing it was increasing the price of e-books to library wholesalers as of March I. A dialog has started between librarians and publishers with mixed results.

Background Information

First a few facts:

- Libraries pay an aggregator a subscription to provide e-books (and audio books) to their library clients.
- ▶ The subscriptions are based on the population size the library serves.
- ▶ The subscription choices are one user per book, three users per book, or unlimited access.
- ▶ Users have to be authenticated as library patrons to check out e-books.

- For state-wide collections, the cost is based on the state's population due to the number of copies.
 - - 12 copies of the title for simultaneous access, which means that the copies purchased can be viewed by 12 people, but the 13th user would be told the book was checked.
 - Pennsylvania (population 12,742,886)
 - 25 copies for the same collection.

The players are:

- ► Fiction e-book aggregators:
 - Overdrive http://www.overdrive.com/
 - Overdrive has the most clients and the most publishers as partners, as well as recently becoming the only aggregator partnering with Amazon.
 - > 3M Cloud

http://solutions.3m.com/wps/portal/3M/en_US/3MLibrarySystems/Home/Products/Cloud+Library/

- 3M Cloud provides more pricing options to libraries as does Freading.
- 3M is also picking up business from Overdrive's mistakes in overpricing consortia groups while building its new platform.
- EBSCO e-books (formerly NetLibrary) http://www.ebscohost.com/e-books
 - EBSCO is working on building its fiction selections while still in transition from the NetLibrary buyout.

▶ Librarians of Interest:

- American Library Association committee: Maureen Sullivan, ALA President-elect; Keith Michael Fiels, ALA Executive Director; Robert Wolven, Co-Chair of ALA's Digital Content and Libraries Working Group; and Alan Inouye, Director of ALA's Office for Information Technology Policy
- Sarah Houghton, Librarian in Black, author of *The e-Book User's Bill of Rights*. http://librarianinblack.net/librarianinblack/2011/02/e-bookrights.html

▶ Publishers of Interest:

- ▶ Macmillan and Simon & Schuster do not partner for e-book distribution.
- Perseus only provides its backlist.
- → HarperCollins issued a new policy in 2011 about renewing e-books subscription licenses every 26 check outs—approximately one year of library lending.

Sally Hawkes has worked in libraries in Virginia, Pennsylvania, and Illinois. She has been a library consultant to public and academic libraries for all things IT with the Arkansas State Library since 1985. Writing as Sally Falcon and Sarah Eagle, she's published both contemporary and Regency romance novels. Reprints of her Sally Falcon books are part of Samhain Publishing's e-book Retro Romance Series.

Business Briefs

To Spin Off Nook or Not to Spin Off Nook?

Not only has B&N delayed the announcement about what it will be doing with Nook, it also stopped the sale of Sterling Publishing. The decision may be announced as early as the beginning of May.

PW Daily

BISG Report – Consumer Attitude and E-books

The latest Book Industry Study Group's report ("Consumer Attitudes Toward E-Book Reading") is about e-book readers (the people kind, not the electronic kind). The report indicates readers' overall book purchases—print and digital—are on the rise and the transactions are increasingly being conducted online or through apps. More than 50 percent of the e-book consumers were using apps to purchase books, while 33 percent used retail web locations. The report indicates 29 percent of e-book readers were no longer making purchases through their local independent bookstores. Nothing was reported to differentiate e-Reader downloads from smart phones.

BISG Report, as noted in PW Daily

Piracy. Again.

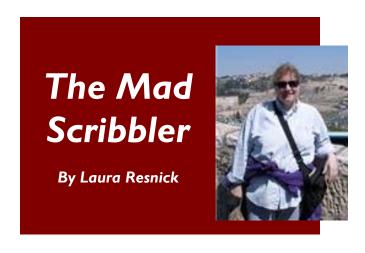
When British author Lloyd Shepherd received an alert that his debut novel, *The English Monster*, was being pirated mere days after its release, he decided to pursue the matter. The book actually wasn't being pirated—yet—but some freebie-monger had posted a request on a site called Mobilism for someone to provide him with a pirated copy of the book, which had not been released as an e-book; he was offering a "reward." (One has to wonder if the reward exceeded the price of a legitimate copy of the book itself....) Mobilism, Mr. Shepherd discovered, is extremely careful to note that it does not "host" pirated works. He describes it as functioning more as a "catalogue of links to other people's warehouses"; as "an index, not a repository," a collection of veritable "cathedrals [of] pirated content."

Mr. Shepherd contacted the person who wanted the illicit copy of his book and described to him just how much time and effort on his part and the part of those at the publishing house had gone into the book. Then he asked why the person was willing to pay someone who had no input into the book to pirate it for him rather than just buy the book? The would-be pirate responded that "there is no justification or reason that would or should ever satisfy the author of original content" and then made bland references to Robin Hood and digital genies—a response described by Mr. Shepherd as more "pseudo-anarchist garbage we've come to expect from the more militantly dumb wings of the anti-copyright campaign." Mr. Shepherd's subsequent reply to the pirate spawned a decidedly more tame discussion of the topic than is generally seen in open forums. While the reportedly rational discussion didn't move Mr. Shepherd's opinion on the matter of pirates, the article does offer some thoughtful insights into possible ways of dealing with the issue. For the full article, go to http://www.guardian.co.uk/books/2012/mar/16/lloyd-shepherd-ebook-pirates-mobilism

The Guardian (UK)

And another reason book-buying is down....

An Irish independent bookseller has claimed that the restrictive luggage policies on a low-cost Irish airline is affecting print book purchases. The bookseller, Frank O'Mahony of O'Mahony's Booksellers, said Ryanair's luggage policy has had a greater impact on print sales than has the rising popularity of e-books. Ryanair passengers are allowed to carry aboard one 10kg (22 lbs) bag and must pay to check additional baggage. Before baggage restrictions, O'Mahony said, people would take along "three or four or five books at a time for holiday reads", but no more because they're too heavy and take up too much room. Ryanair's spokesman called the charge "complete rubbish." (We tend to agree, but, hey, it's some free publicity for the bookstore, and that's always a good thing, right?)



Plague Days Indeed

ROCHFORT: People are dying this year who've never died before.

— Red Noses, Peter Barnes

Red Noses is an Olivier Award-winning drama (the Olivier is the British equivalent of a Tony Award) and possibly my all-time favorite play. It's a whimsical, dark, wacky, bittersweet satire that takes place in mid-14th century Europe.

As the Black Death sweeps across the continent, killing approximately half the population, a humble priest recruits a troupe of misfit traveling players (who wear clownish red noses when they perform) to entertain the plague-ravaged masses. They start out as slapstick comedians but eventually become social satirists, criticizing greedy rulers and the corrupt Church. It's behavior that would normally lead straight to their imprisonment and execution. But these days, as the cynical aristocrat Rochfort notes, people are dying who've never died before—and things are happening that could never have happened before the plague engulfed their world, toppled the existing power structures, and changed all the rules.

(You see where I'm going with this, don't you?)

When the Black Death finally recedes in Red Noses, as it did after about two years of utter devastation in Europe, the players are indeed imprisoned. The surviving Church rulers and secular princes bring down the heavy boot heel of the old order on the necks of the upstarts who ran rampant during the mad days of the plague.

(Raise your hand if you can cite any suggestive parallels in our industry.)

The condemned comedians pray that the princes of power won't succeed in their efforts to drag the world back to where it was before the plague, when their rule was absolute and their authority unquestioned. The humble priest who founded the Red Noses passionately believes that even potentates cannot roll back time and return to a vanished world that has been smashed on the anvil of experience.

Of course, we who watch the misfit heroes go to the scaffold (sorry, I guess that's a spoiler) know, with the benefit of hindsight, that the humble priest is right; the tremendous societal upheavals caused by the Black Death led to far-reaching change. The Renaissance arose out the gory ashes of medieval Europe's bubonic holocaust, ultimately leading to the birth of the modern age.

And these days (here's the segue), as a longtime working novelist, I often find myself thinking, "People are dying this year who've never died before."

Only a couple of years ago, I was letting some of my revertible rights linger under contract in hopes that those books might be reprinted (they weren't). I viewed most of my out-of-print work as unlikely ever again to generate income, but I was hoping to find reprint markets for *some* of my reverted backlist. Editors to whom I submitted these projects rarely even bothered to respond, a couple of the rejections were bizarrely rude, and there were no offers.

I suppose I should let go of these annoying memories... But as Rochfort says in *Red Noses*, when the changes wrought by the Black Death enable him to reclaim his birthright from the family that disowned him years earlier, no man ever forgets *where* he buried the bodies.

I was also, back then, still recovering from my career's near-death experience after a publisher acquired a new series of mine, dumped the first book out there with a terrible cover and no support, and then canceled my contract and dropped me. (My fourth/final agent's reaction to my dire situation was a variation of, "You're... who again? And... why are you contacting me? I'm really busy, you know.") Out on my own after that, it didn't take me long to discover that the publisher hadn't just gutted that series, it had also delivered a deadly blow to my career.

That's often all it took in the Middle Ages to kill a writer: one badly published book.

However, I can't be buried for long; like zombies and vampires, I always rise from the dead to maim and kill again. So (after lying in my coffin for a while with the wind knocked out of me), I got up, brushed off the muck, hunted down a competent publisher (actually, an excellent one—DAW Books), and got their help in hauling my career out of the grave.

I know now, of course, that the discouragement and frustration I felt during the various events described above (and, indeed, throughout most of my career) was about to be swept aside by the changes rampaging through our industry. Less than a year after the last time I tried to find a reprint market for my backlist books, I had learned to self-publish e-books and was receiving monthly payments from multiple vendors for my backlist titles—and so were many, many other writers.

And, of course, numerous writers who couldn't place frontlist books with publishers have since then self-published them and connected with readers. Many writers are making nice money from their e-ventures; and some are making hundreds of thousands of dollars with books that numerous literary agents and/or publishers rejected. The world has changed so much by now that I am *very* glad that I didn't manage to get the publishing rights to my backlist tied up by, er, publishers.

People are dying these days who've never died before... and, as Rochfort muses, that's leading to surprisingly positive developments for the rest of us.

Not long ago, a humble priest (so to speak) was talking to me about a new series which is critically acclaimed and internationally bestselling. The publisher that acquired the series was the only house to make an offer for it. The other houses to which the material was submitted didn't reject it... They just dithered endlessly, with various in-house functionaries unwilling or unauthorized to make a decision and also unable to secure an answer from (or unable even to *find*) anyone who would or could make a decision. So this (now) well-reviewed and extremely lucrative series sold to the only publisher that ever even made a decision about it, let alone made an offer.

As a Red Nose (of sorts), it's my duty to point out not only how dysfunctionally idiotic that is, but also how terribly common that sort of scenario is in our medieval industry.

Whenever recounting my own experiences in publishing to my real-world friends and acquaintances, or sharing publishing anecdotes with them, or describing how our industry functions, their incredulity and bemusement mounts until, invariably, I wind up having to explain to them a key fact of the writing life: Overall, publishing is an amazingly badly run industry full of waste, illogic, obsolete customs, obscure practices, a wide-spread absence of accountability, and many people who'd be unemployable in any serious business enterprise.

Or, as has been said to me for many years by wiser and more experienced writers when dealing with publishers, "Never attribute to malice or larceny that which can be chalked up to incompetence."

Now, at last, the changing nature of the publishing landscape ensures there are just too many options available for writers to be trapped, ever again, in situations where we've got to accept working with abusive nudniks or well-meaning incompetents in order to get our work into the hands of readers.

I look at my ravaged past in this business (for example, at least six publishers have either dumped me or folded under me after just one book—no one can build a career that way, for God's sake!), and I realize with wonder that I will never again have to put up with such messed up, unconscionable, inept, mundo bizarro crap just to get my work published. (This is a relief, since I was getting very tired.)

I am extremely fortunate these days in that I'm in the most unusual of situations in our industry, i.e. I'm writing for a very well-run publishing house (DAW Books) that pays me well, treats me like a valued professional partner in the publishing process, and publishes my work well. The folks at DAW are intelligent and adaptive enough that I'm convinced they'll survive the demise of the medieval world and will thrive in the emerging Renaissance.

But if something catastrophic befalls them, or if they become apostates and start publishing horror and Westerns (neither of which I can write) instead of fantasy, or if they just stop publishing me... the changes sweeping through our land ensure that I will be okay, anyhow. I never again have to go back to dealing with incompetent, abusive, mentally ill, perpetually AWOL, mediocre, jaded, burned out, apathetic, sluggish, overhierarchized, or ethically bankrupt people just to earn my living as a writer.

I know where those bodies are buried, because I've personally buried way too many of them. I don't want to go back and dig them up—and, thank God, I don't have to. Because no one can roll back time and drag us back to the vanishing world that's currently being smashed on the anvil of experience.

NINC wishes to clarify that if Resnick has actually buried anyone, NINC is entirely unaware of this and will state under oath that it has all along assumed she was just beating a metaphor to death.

Business Briefs

HarperCollins UK Launches Erotica E-Only Imprint

In response to the growing number of readers buying erotica e-books, HarperCollins UK announced the April launch of its new erotica Mischief Books imprint, which will offer titles in e-book editions only. An article in *The Wall Street Journal* notes that the imprint's tagline is "private pleasures with a hand-held device." The website will use its own set of icons to denote the content of the books more specifically. For instance, "kinky" titles will be tagged with an icon of handcuffs; those involving "discipline" will be tagged with an upraised hand. According to Adam Nevill, the imprint's editorial director, Mischief will publish at least 60 titles per year.

Submission guidelines (no pun intended) offered on the Write Jobs blog indicate Mischief is looking for themed anthologies, "petite novels," full-length novels, and single-author collections. The blog post notes that the imprint pays advances and royalties. The editorial contact is Adam Neville:

Adam.Nevill@harpercollins.co.uk.

Read the full guidelines at:

http://write-jobs.blogspot.com/2012/03/new-book-imprint-mischief-books-avon.html

Write Jobs/The Wall Street Journal

Accusations of Copyright Infringement....from Chinese Authors

In what has to be one of the most ironic situations to arise lately in the yeasty and burgeoning world of copyright infringement, 22 Chinese authors calling themselves the Writers Alliance have charged technology superpower Apple with selling unlicensed copies of their books through the company's App Store. The group maintains that it asked Apple to stop distributing the pirated editions of 95 of its titles last year. The suit seeks compensatory damages of 50 million yuan (about US \$8 million). Apparently Chinese copyright holders have begun demanding better protection for their work in response to the Chinese government's notoriously casual approach to intellectual property rights that the rest of the world's authors and artists have been railing against for years. Welcome to our world, comrades.

Reuters



Should I Inc.?

Writers have several options when choosing a form of business for their writing activities, and I'm often asked by writers whether they would benefit from incorporating. In the vast majority of cases, the answer is "no." But in some instances incorporating or forming a limited liability company might be a good idea.

An individual who has not formed a separate legal entity through which to operate his or her businesses is running a "sole proprietorship." This default format is automatic, and no organizational documents need to be filed to create this type of business. The business is often operated under the owner's individual name, though a business name can be registered with the county clerk to allow the owner to operate the sole proprietorship under a name other than his or her own.

Most writers choose, wisely, to maintain their business as a sole proprietorship. It's the simplest form of business and, for federal tax purposes, requires only that the business owner file a Schedule C to report the business income and expenses, along with a Schedule SE to report Social Security taxes if the business has a net profit of \$400 or more.

The downside to a sole proprietorship is that it does not have limited liability, meaning that the personal assets of the business owner could be at risk if the business is sued. Because a novelist's characters are fictional and stories are fabricated, the risk of being sued as a fiction writer is very small. However, the greater the success enjoyed by a writer, the more he or she is likely to be a target of a nuisance lawsuit. Writers who base their work closely on actual people and events might be sued for invasion of privacy, defamation, or wrongfully using a person's likeness without permission, just as the author of "The Help" was sued by a former member of her brother's domestic staff. Writers might also face lawsuits for plagiarism if they "borrow" from other author's works.

Although the prospect of being sued sounds scary, state laws provide exemptions that allow a person to retain certain types and amounts of property even if a judgment has been entered against him or her. Thus, a judgment is unlikely to leave someone homeless and destitute.

If you believe your risk of being sued is small, then operating your writing business as a sole proprietorship will likely be your best option. On the other hand, if you believe that your risks are significant, you might want to consider forming a corporation or limited liability company (LLC).

There are two types of corporations—C corps and S corps. C corps are often large and publicly traded, and can have any number of shareholders. On the other hand, S corps are small, closely held corporations. Both S and C corporations are required to have bylaws, hold shareholder meetings, and maintain records to document corporate actions. A writer who chooses to form a corporation will be required to follow these formalities.

Forming a corporation or LLC will generally protect the business owner's personal assets from seizure by creditors of the corporation. For this reason, many accountants, attorneys, and tax advisors will recommend that their clients form a separate entity. But remember that these people have their own interests at stake and often the primary benefit of forming a separate business entity for a client is to put some money in the CPA's or attorney's pocket.

In addition, under a theory known as "piercing the corporate veil," the limited liability protection can be voided if the business owner has not treated the business as separate and distinct from the owner. To

prevent the corporate veil from being pierced, business owners should not pay personal expenses from business accounts. Instead, the business owner should pay himself or herself a salary and deposit these funds in the owner's personal bank accounts, then pay any personal bills from the owner's personal accounts. The business owners should also sign all contracts in a manner clearly indicating they are signing as a representative of their corporations rather than in their personal capacity. Business owners who mix their personal and business accounts or sign contracts in their name only may face personal liability despite the fact that they formed a corporation or LLC through which to run their business.

For S corps, a separate tax return must be filed (Form 1120S), but the form is simply an informational return and no tax is actually paid by the S corporation. The S corp's income flows through to the shareholder's individual income tax return, where it is reported on a Schedule E and taxed at the writer's individual income tax rates.

Unlike S corps, C corps are subject to tax at the corporate level. In some instances, the formation of a C corporation can save tax by allowing the income to be divided between the writer and the corporation and thus spreading the income over the lower tax brackets for individuals and corporations. Unless the income of the C corporation is high enough, however, the cost of paying a professional to prepare the separate corporate tax return as well as the costs associated with operating a corporation may exceed any tax savings. Moreover, the writer would have to be paid a salary from the C corporation, which would require payroll taxes to be withheld and reported and a W-2 to be issued to the writer at year end. Also, although the income splitting sounds great, the tax benefits may be nullified by an additional tax that applies to "Personal holding companies." A personal holding company (PHC) is a corporation with 50% of its stock value owned by five or fewer individuals and with 60% or more of its income consisting of royalties, interest, dividends, and rent. An additional 15% PHC tax is added to the regular corporate tax rates. This additional tax is likely to eliminate any tax savings generated by the income splitting and may even result in higher taxes for the business owner.

LLCs are an increasingly popular form of business because, while they function with the flexibility of a sole proprietorship, they also provide limited liability for the owners without the formalities of corporations. This hybrid entity provides the best of both worlds. For federal income tax purposes, an LLC that is owned by a single individual or by a married couple who files a joint tax return will report income and expenses on a Schedule C, just as if it were a sole proprietorship. Thus, there is no extensive tax form to complete.

In conclusion, it's best to operate as a sole proprietorship in the vast majority of cases. But if your writing poses substantial risks to you or if you are earning large sums of money, you should consult a legal or financial advisor to determine if forming a corporation or LLC makes sense for you.

Diane Kelly is a CPA/tax attorney and the author of the humorous Death and Taxes mystery series from St. Martin's Press.

Business Briefs

Who's the Baddest One of All?

Half-Price Books hosted its own answer to basketball's March Madness. The bookseller launched its 2012 Tournament of Villains last month, in which visitors to its website could vote in successive rounds to determine the worst media villain. Early contenders in the pantheon of evil included Darth Vader, Nurse Ratched, The Grinch, Hannibal Lechter, and the StayPuft Marshmallow Man. Go to http://hpb.com/villains/ for the results.

Not Your Usual Writing Advice — A Budget by Any Other Name

BY JOANN GROTE

It is said that desire is a product of the will, but the converse is in fact true: will is a product of desire.

Denis Diderot



Photo by Sabrina Ingrai

Recently my cash flow wasn't sufficient to meet my needs. "Time to make a budget," I reminded myself.

Throughout my twenties, I thought of "budget" as a restrictive term. I and my ex would list all the things we needed, look at our incomes and decide it was impossible to meet our needs. Yet somehow, we always had enough money. Budgeting appeared a useless concept. We gave it up.

I reinstituted budgeting after we divorced and I was living on my own, supporting myself by myself for the first time. I listed out my anticipated expenses by month for the next year; then I looked at my writing contracts and expected payment dates for advances and royalties. (I was writing full-time, with no other earned income or alimony.) The process surprised me. Instead of the restrictive and fear-filled activity I had found budgeting in the past, I now found it inspiring and creative.

Just like the old budget attempts, my anticipated needs exceeded my anticipated income. But this time instead of feeling hopeless, I looked for ways to increase my income. I contacted an editor who hadn't responded to a proposal submitted six months earlier and politely requested she make time to read it and make a decision. Next I made time from an already full schedule to write and submit a proposal to an editor who usually liked my work. The first editor sent me a contract the next week. Eventually my new proposal resulted in a contract, also.

Future budgets appeared to bring new opportunities and ideas. I was offered a chance to teach a writing class, which generated a steady if modest income. An editor I didn't know contacted me and asked me to write some nonfiction books for children—books that would make use of research I'd done for children's novels, and widen my publication for that age. I offered to write a column for one of my publishers' monthly newsletters, which put my name in front of readers on a regular basis.

The budgets I'd once found restrictive and demoralizing I now experienced more like prayers for guidance, and as tools to set my intention to increase my income. They clarified my thinking, provided direction, stimulated "How can I..." questions, and encouraged me to use my creativity to find solutions.

I still sometimes end up in times of slow cash flow looking at a list of anticipated expenses and income with discouragement. I need to remind myself that the purpose and power behind that list is to use it as a catalyst to provide more income. With that intent, the budget creates energy and answers.

This is the same theory behind dream lists, a motivational tool in which one makes a list of everything one wants to do in life, or a more specific list such as what one wants to accomplish in his or her career, what people one would like to meet, or what places one would like to visit. There are no limitations on the list. It is written as though nothing is impossible, as though all funds and time and talent are available.

Such lists tend to stimulate the same kinds of questions I find a budget stimulates. A person begins to notice opportunities, look for them, and expect them. One admits a dream and begins to ask, "What

would I need to do in order to make that happen?" He looks at his present circumstances, assets and talents as a starting point, looks for a path, and then takes the first step in that direction. As writers, most of us have experienced that process.

We can use this budget theory, or lists of need/desires and supply/opportunity, in many areas of our lives.

One area it can be used in is time. A list of everything I need to do and "should" do every day, week, and month is definitely discouraging. Yet it helps me set priorities and boundaries. It encourages me to do what needs to be done when it needs to be done. It encourages me to seek balance, to recognize opportunities for assistance and organization to increase efficiency.

Dr. Joseph Murphy wrote, "Your desire is your prayer." A list of needs and supply—a budget—might be seen as a desire to provide sufficient supply to meet the needs. Another name for such a list might be prayer, guidance, opportunity, intention, or clarity.

What do you need in your life or career? Make a budget.

JoAnn Grote is the award-winning author of 38 books, including inspirational romances, middle-grade historical novels, and children's nonfiction. Contact her at jaghi@rconnect.com.



Mark Your Calendar Now! It'll Be Here Sooner than You Think!

Then turn to page 6 for the first information about this year's conference. You won't believe how much we have planned to boost your writing career.

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