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LETTER TO THE EDITOR

The Summer/Fall 2009 Bulletin reported the death of Santha Rama Rau at the age of 86. In a recent memoir published in the Cape Town literary magazine Chimurenga (www.chimurenga.co.za), I recalled a meeting with her father in 1941 and a long-distance telephone conversation with Santha in 2008.

One Sunday in 1941, Sir Benegal Rama Rau came to lunch at our home in Muizenberg, just over the road from the old wooden footbridge across the Vlei. He and my father sat chatting on the green wicker chairs on the front step. My mother flitted in and out, from stoep (veranda) to kitchen to dining room. I looked on in awe. I was five.

It was not often that a non-European sat on our front stoep, let alone joined us at the dining table for a family lunch. The non-Europeans I knew worked for us in the kitchen and the garden and lived in quarters at the back of the house.

Sir Benegal was 52, eight years older than my father. He had been India’s Deputy High Commissioner in London before arriving in South Africa in May 1938 as Agent-General. After the war he was to serve as his country’s first Ambassador in Tokyo and later in Washington, D.C. He wound up his career as Governor of the Reserve Bank of India.

I can no longer tap my late parents’ memories and none of my siblings recalls details of this visit. In June 2008, I phoned Sir Benegal’s younger daughter, Santha (b. 1923). She

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ALONG PUBLISHERS ROW

BY CAMPBELL GEESLIN

In a Page 1 article in The New York Times, Motoko Rich wrote, “For more than 500 years the book has been a remarkably stable entity: a coherent string of connected words, printed on paper and bound between covers.

“But in the age of the iPhone, Kindle and YouTube, the notion of the book is becoming increasingly elastic as publishers mash together text, video and Web features in a scramble to keep readers interested in an archaic form of entertainment.”

In October Simon & Schuster released four “vooks,” which combine video and electronic text and can be read and viewed online or on an iPhone or iPod Touch.

Author Walter Mosley told the Times, “As a novelist I would never ever” allow videos to substitute for prose.

“Reading,” he said, “is one of the few experiences we have outside of relationships in which our cognitive abilities grow. And our cognitive abilities actually go backwards when we’re watching television or doing stuff on computers.”

SLANG: Any writer today who is trying to produce dialogue for a contemporary novel is faced with a major problem. For dialogue to seem fresh and authentic, it needs to include slang.

The life span today of a slang word or phrase seems “to shorten with every click of the mouse.” The quote is from an article in The New York Times with the headline: “Dude, You Are So (Not) Obama.” Meanwhile, books still take almost a year from the time your manuscript is delivered to the publisher until it appears in a bookshop.

“What’s a hipster (hepcat?) To Do?” the Times asks. “Keeping up with the latest slang is at once easier and harder than ever. The number of slang dictionaries is growing, both online and off, not to mention social networking media that invent and discard words, phrases and memes at the speed of broadband.”

Slang dictionaries have been around for more than 200 years, but online resources such as slangsite.com are updated hundreds of times daily.

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About the Cover Artist

Kevin Sanchez Walsh is a freelance artist in New York City.
From the President

BY ROY BLount JR.

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What is a book worth? Except for people who find it essential to shop in an actual physical store where someone is likely to know one book from another, the sticker price is a fiction. A $29.95 book, in e-form, may go for $8.99 these days in Walmart—cheaper than, I don’t know, a six-pack of tubesocks? On Amazon, the notion that all e-books should cost $9.99 is regarded by some people as guaranteed in the Bill of Rights somewhere. Then too you may be able to get a brand-new actual paper-and-ink book through Amazon for less than that—fell off a truck or something. That’s where I go when I’ve run out of copies of my books. It’s cheaper and quicker than ordering through the publisher at the author’s rate, and at least I’ve taken one non-royalty-producing copy off the market.

Then of course there is the school of thought that books shouldn’t cost anything, because “information wants to be free.” One thing wrong with that notion is that just as a pie is more than its ingredients (and does anyone other than a child living at home expect pie, or even pie ingredients, to be free?), a book is more than information. It’s someone’s—several people’s—work.

Another thing wrong with “information wants to be free” is that it is espoused, it’s my impression, by three categories of people:

One: People who are paid by universities to teach occasional seminars and write books that not many people would want to buy anyway if they could help it. To send one’s child to one of these universities costs (say) an author maybe $50,000 a year. How about College wants to be free?

Two: People who have invented a high-tech gimmick that has enabled them not to need any more money the rest of their lives. How about High-tech gimmicks want to be free?

Three: People who live at home with their parents.

Another thing about information: it wants to be wrong. For instance, in Robert Darnton’s critique of the Google settlement in *The New York Review of Books*, he states that “Google will make it possible for consumers to purchase access to millions of copyrighted books currently in print.” That is wrong. The Google settlement gives access to copyrighted books not currently in print.

It does seem sometimes that books don’t want their authors to get any money out of them. British author John Gribbin’s book *Get a Grip on Physics*, was all over the Web recently because photographs of Tiger Woods’s smashed-up car showed a copy of the book on the floor amid shards of glass. A famous book! People had to have it! It shot from 396,224th on Amazon to 2,268th. Copies were going for $73.

“I am delighted that anybody is reading my books,” said Gribbin. “I just wish it was one that is still in print.”

If the Google settlement were in place, Gribbin could be getting some income from that book.

Libel Tourism Legislation Gaining Ground

On the heels of New York State’s May 2008 passage of the “Libel Tourism” legislation, which prevents New York courts from enforcing foreign libel judgments that are inconsistent with the First Amendment rights embedded in the U.S. Constitution, California recently passed its own legislation, which renders foreign libel judgments against U.S. magazines and newspapers unenforceable in the state of California. As we have reported in the past, the need for this legislation was reinforced by the libel judgment obtained by Saudi Prince Khalid Salim Bin Mahfouz in a British court against author Rachel Ehrenfeld for her portrayal of him as a financier of terrorism in *Funding Evil*. Ehrenfeld defaulted in the English action and subsequently failed in her attempts to obtain a declaratory judgment that the libel ruling in Britain would be unenforceable by New York courts, which implied it was the state legislature’s duty to address this issue.
State of the Industry

BY ISABEL HOWE

Dan Brown’s latest book, *The Lost Symbol*, was released on September 15, 2009. The first printing of 6.5 million was the largest ever for its publisher, Knopf Doubleday Random House, and it met expectations when it sold two million copies of hardcover, audiobooks and e-books in the week following its release. It exceeded expectations when, according to an Amazon spokesman quoted in *The Wall Street Journal* September 17, Kindle e-book editions “outsold hardcover editions on the book’s release day, excluding pre-orders.” By mid-November, *Crain’s* was reporting that e-book sales of *The Lost Symbol* had boosted Random House’s e-book revenues by a whopping 400 percent.

But it was business as usual by the following month, and the tea leaves were being sifted throughout the book world. “According to Nielsen BookScan, which tracks about 70 percent of retail sales in the United States,” reported Motoko Rich in *The New York Times*, “the number of copies the book sold last week fell by 47 percent, to 214,000 from 401,000.”

After an auspicious debut, Senator Edward M. Kennedy’s memoir, *True Compass*, also took a dive, from 69,000 to 39,000 copies in the space of a week—a 43 percent drop.

Overall, Rich noted, “book sales were down about 4 percent compared with the same week last year, suggesting that neither of those titles or any of the other big fall books from heavies like Mitch Albom, Pat Conroy, E. L. Doctorow and Audrey Niffenegger were helping booksellers to overcome the sludgy economy.” In the end, bookstore sales were indeed up by 7 percent for the month of September, explained by sales of *The Lost Symbol* and college books, but it’s not enough to turn around the figures for the year, which remain down from 2008.

Marketing professor Albert Greco, quoted in *The New Yorker’s* October 19 publishing issue agreed: Despite *The Lost Symbol*, despite continued sales of the *Twilight* series, the market for adult trade books would probably decline 4 percent in 2009. The article also pointed out how differently blockbuster books can affect the overall numbers. “Last year alone, twenty-seven and a half million Meyer books were sold in the U.S.—seventy per cent of all young-adult sales. Meyer’s success largely explains why sales of children’s books are likely to be up five per cent this year, whereas adult trade publishing is experiencing diminishing revenues.”

The bad news continued to pour in. Wal-Mart began selling new hardcover books for $10, with free shipping—around 60 percent less than the usual cost. In response, Amazon.com reduced its prices for the same or similar titles to $10. “Wal-Mart’s announcement suggests a broad, sustained race for customers at prices few can afford to offer,” said *The New York Times*, and a week into the price war, the American Booksellers Association sent a letter to the Justice Department requesting an inquiry into the discounting combatants’ “predatory pricing.”

While the publishing industry struggles to stem losses resulting from the recession . . . it also confronts the digital world, as potentially lucrative as it is potentially ruinous.
The recession has both inflated fears and heightened the stakes economically, but with migraine and stomachache giving swine flu a run for its money, publishing houses are banking more than ever on bestsellers, keeping their fingers crossed for the next unexpected blockbuster.

It’s a familiar pattern, but reports of the news that a few books wouldn’t be saving the industry this time around shouldn’t have surprised anyone. The problem is that in a year when so much more seems to be at stake, unrealistic hopes soared higher than usual.

Moreover, coverage of the book industry in the major news outlets, not to mention Amazon’s reports about the Kindle’s success, seems to suggest that the publishing industry is crumbling, e-books are conquering the world, and that creativity is a thing of the past. The reality is more complex and consistently beyond predicting. We all know the story of Harry Potter: the much anticipated next volume, the midnight releases, the slumber parties at Barnes & Noble. Certain books capture the zeitgeist, whether unexpectedly or intentionally; The New Yorker recently chronicled the history of young adult series packaged by companies, often brilliantly, with plots devised in marketing meetings. A famous person tells a compelling story, a beloved author comes out with a new book. The industry has long relied on them, and certainly this is true now more than ever.

Blockbusters become problematic, though, when they affect the way the book business runs. A perspective that is missing from national news coverage, but can be found in industry magazines like Publishers Weekly and Poets & Writers, on conference panels, and in private conversations, is that publishers have been acting as slaves to the chain bookstores and, in doing so, have abandoned a tradition of creativity, innovation, and support for good books. When the emphasis is overwhelmingly on popular taste and boosting initial orders, the process of selecting good books—definitions of which vary, of course—gets muddled. Huge amounts of money and time are thrown behind a few books, while the rest of the list suffers. Publishing houses lose sight of their overall focus.

Chris Doeblin, owner of Book Culture, an independent bookstore in upper Manhattan, agrees. Walmart, Amazon.com and Barnes & Noble, he says, have come to “command an enormous amount of leverage in conversations” about bookselling, which points to the “evident fact that publishers have made a mistake. They have given up the power of control over their medium. A healthy publishing industry needs to have an enormous choice of options in terms of where to retail” books—online, in person, print, e-book, independent, chain.

Doeblin adds that, while “the Google issue probably doesn’t have a huge amount to do with the bottom line, it has brought into stark relief how the discussion of the ownership of and distribution of and control of this media, this art” will develop. “The sales of books online and the [presence of] e-books has also, more or less, pointed to where this can possibly go as opposed to really changing the game.”

How well independent booksellers will do now and in the future is an open question. Doeblin hopes for a scenario in which booksellers experience the equivalent of the organic and local food craze: just as a small, yet critical percentage of the population has turned away from factory-issued produce and meats and joined in a nationwide trend in support of farmers markets and grass-fed beef and free-range poultry, readers and book buyers will eventually—perhaps already have—become frustrated with the limitations of shopping at the big chains and return to independent bookstores. As Doeblin puts it, “We’re at the absolute limit of becoming so rare that we become a choice.”

Such utopian thinking is also emerging from publishing heavyweights. Poets & Writers recently profiled Jonathan Karp, editor in chief of Twelve, a Hachette

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**The news that a few books wouldn’t be saving the industry this time around shouldn’t have surprised anyone.**

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**How well independent booksellers will do now and in the future is an open question. Will they become the equivalent of organic food shops?**
Book Group imprint that he started in 2005 after leaving a successful career at Random House. Karp acquires, edits and helps publicize each of the 12 books that he publishes every year—just one per month. Fifteen of his first 30 books hit the bestseller lists. As P&W put it, Karp “has managed to unite the dreams of any publisher’s disparate constituencies: writers (who want nothing so much as a publisher’s attention and effort), literary agents (who encounter fewer and fewer editors who are experienced, credible, and essentially autonomous), booksellers (who complain, rightly, that too many books are published with too little care), the media (which can only cover so much and is happy to be steered toward the few books that are important), and readers (who are, for the most part, blissfully unaware of the mad sausage making that goes on behind the scenes but knows a good thing when they taste it).”

Publishers, take note.

It may also behoove publishers to take note of the way independent bookstores are reacting to changes in the industry: the American Booksellers Association is helping independent bookstores set up e-book marketplaces on their websites. The Independent Booksellers of New York City held their first Independent Bookstore Week in November. Doeblin suggests that publishers can help booksellers in small ways by understanding that genres should be handled differently. Certain nonfiction books are perfect for the e-book format, whereas literary fiction will continue to be bought and read in print. Forcing every single title to sell the same way through the same venue is unwise. Using the example of the literary novel, he explains that a publisher can work with booksellers by making sure the title is available in the independents, delaying the e-release, and arranging for author appearances at the smaller stores, rather than just Barnes & Noble. In doing so, they would also be taking advantage of the access independents have to the small percentage of the population that loves print books—and buys them. ♦

Senate Press Shield Bill Approved By Judiciary Committee

There has been significant movement in the attempt to establish a nationwide law to protect journalists from being forced to reveal their sources by subpoena or other court order. Currently, any right a reporter may have to protect her confidential sources and information obtained during news gathering is set by state law. Shield laws have been enacted in 36 states and the District of Columbia. The laws are not, however, uniform and statutes vary in scope. There are differences as to which kinds of writers are permitted to shelter under the laws (e.g., newspaper reporters vs. book authors vs. bloggers), and in what types of cases the shield can be invoked (e.g., criminal vs. civil proceedings).

The House of Representatives passed its version of a federal press shield bill in March, and the Senate Judiciary Committee approved the Senate’s version on December 10. This version may now be put before the entire Senate for a vote. The Senate bill, “The Free Flow of Information Action of 2009,” is the result of negotiations by the Senate sponsors of the bill, the White House, and the Justice Department. The bill would provide qualified protection against compelled disclosure of confidential sources and of published information received in confidence. The reporter would not have to be employed by a media organization in order to be covered by the law. This means that freelancers and unpaid bloggers would be entitled to protection.

One major source of contention was over the scope of press shield protections in matters involving national security. If a criminal case involves a classified information leak, the government would be required to show by a preponderance of the evidence that the information it seeks poses a potential danger to national security. If the government can show that disclosure of the confidential information is necessary to stop or mitigate a terrorist act or to identify a terrorist, then a judge will not be required to balance the importance of the public’s need to know the information against the government’s need to pinpoint the leak.

In ordinary civil cases, the judge would apply a balancing test and the party seeking to compel the reporter to turn over the information would have the burden of proving why the need for the testimony outweighs the public interest in being informed. In ordinary criminal cases, the reporter would have to show clear and convincing evidence why she should not be required to divulge the information, and why disclosure would do damage to the public interest.

—Anita Fore
Random House’s Retroactive Rights Grab

Adapted from an e-mail sent to members December 15, 2009.

On Friday, Random House CEO Markus Dohle sent a two-page letter to many literary agents regarding e-books. Much of the letter is devoted to Random House’s efforts and investments to market traditional and electronic books.

On the second page, Mr. Dohle gets to the point. After noting that most of Random House’s backlist titles grant the publisher electronic book rights (we agree, since most backlist titles are from the past ten years, a period in which authors have generally licensed electronic rights in tandem with their print rights), he writes that, "there have been some misunderstandings concerning ebook rights in older backlist titles." He then proceeds to argue that older contracts granting rights to publish "in book form" or "in all editions" grant electronic rights to Random House.

The misunderstandings reside entirely with Random House. Random House quite famously changed its standard contract to include e-book rights in 1994. (We remember it well—Random House tried to secure these rights for royalties of 5 percent of net proceeds, a pittance. We called it a "Land Grab on the Electronic Frontier" in our press release headline.) Random House felt the need to change its contract, quite plainly, because its authors did not grant those rights to it under Random House’s standard contracts prior to 1994.

A fundamental principle of book contracts is that the grant of rights is limited. Publishers acquire only the rights that they bargain for; authors retain rights they have not expressly granted to publishers. E-book rights, under older book contracts, were retained by the authors.

There’s no need to take our word for this, however. A federal court in 2001 examined this precise matter in


The vast majority of our backlist contracts grant us the exclusive right to publish books in electronic formats, as well as more traditional physical formats. At the same time, we are aware there have been some misunderstandings concerning ebook rights in older backlist titles. Our older agreements often give the exclusive right to publish "in book form" or "in any and all editions". Many of those contracts also include enhanced language that references other forms of copying or displaying the text that might be developed in the future or other relevant language that more specifically reflects the already expansive scope of rights. Such grants are usually not limited to any specific format, and indeed the "form" of a book has evolved over the years to include variations of hardcover, paperback and other written word formats, all of which have been understood to be included in the grant of book publishing rights. Indeed, ebook retailers market, merchandise and sell ebooks as an alternate book format, along-side the hardcover, trade paperback, and mass market versions of a given title. Whether physical or digital, the product is used and experienced in the same manner, serves the same function, and satisfies the same fundamental urge to discover stories, ideas and information through the process of reading. Accordingly, Random House considers contracts that grant the exclusive right to publish "in book form" or "in any and all editions" to include the exclusive right to publish in electronic book publishing formats. Our agreements also contain broad non-competition provisions, so that the author is precluded from granting publishing rights to third parties that would compromise the rights for which Random House has bargained.

We strongly suspect e-royalty rates are at a low-water mark.
Random House v. Rosetta Books. Judge Stein of the Southern District of New York was unequivocal in his 10-page decision: authors did not grant publishers the e-book rights in the old book contracts at issue. Judge Stein specifically dismissed notions, raised by Mr. Dohle in his letter to agents, that the non-compete clauses of these old contracts in some manner acted to grant Random House electronic rights to the works, saying that this “reasoning turns the analysis on its head.” The court pointed out that the license of rights comes solely from the contract’s grant language, not from the non-compete clause, and that non-competition clauses, to be enforceable, have to be narrowly construed. Using the non-compete clause to secure future rights is unsustainable. An appellate court affirmed Judge Stein’s decision.

We are sympathetic with the difficult position the publishing industry is in at the moment. The recession has been tough on book publishing, as it has been on many industries. And everyone with knowledge of the dynamics of the industry properly fears that Amazon’s dominance of the online markets for traditional and especially e-books will give it a chokehold on industry profits. Difficult times, however, do not justify this attempt at a retroactive rights grab.

It’s regrettable and unhelpful that Random House has chosen to try to intimidate authors and agents over these old book contracts. With such a weak legal hand, it would be well advised to stick to its strength—the advantages that its marketing muscle can provide owners of e-book rights. It should also start offering a fair royalty for those rights. Authors and publishers have traditionally split the proceeds from book sales. Most sublicenses, for example, provide for a 50/50 split of proceeds, and the standard trade book royalty of 15% of the hardcover retail price, back in the days that industry standard was established, represented about 50 percent of the net proceeds of the sale of the book. We’re confident that the current practice of paying 25 percent of net on e-books will not, in the long run, prevail. Savvy agents are well aware of this. The only reason e-book royalty rates are so low right now is that so little attention has been paid to them: sales were simply too low to scrap over. That’s beginning to change.

If you have an old book contract in which you haven’t granted e-book rights, patience is likely to pay off. The e-book industry is still young—there’s no need to jump in. And we strongly suspect e-royalty rates are at a low-water mark.

Amended Settlement Filed in Authors Guild v. Google

Adapted from the text of an e-mail sent to members.

November 13, 2009. We’ve filed the amended settlement in Authors Guild v. Google. The official documents will be available at googlebooksettlement.com at some point over the weekend. In the meantime, here are the big changes:

1. Smaller Class; Representation of Foreign Countries on Registry Board. We’ve narrowed down the class to authors and publishers of works registered in the U.S. and authors and publishers of works published in the three other countries that have contributed the largest number of English-language works to American libraries: Australia, Canada, and the U.K. Each of these countries will have an author and a publisher seat on the Book Rights Registry board.

2. Independent Fiduciary for Unclaimed Works. An independent fiduciary approved by the court will be solely responsible for decisions regarding unclaimed works.

3. Unclaimed Funds Held for up to 10 Years, Will Go Only to Charities and Finding Rightsholders. The Book Rights Registry will now hold unclaimed funds for 10 years, instead of five. (After five years, one-quarter of the unclaimed funds can be earmarked for finding rightsholders.) There will be no distribution of any of the unclaimed funds to claiming rightsholders. Instead, unclaimed funds will go to charities in the U.S., Canada, the U.K., and Australia as determined by court order after 10 years.

4. Elimination of “Most-Favored Nation” Clause, Restrictions on Discounting. The so-called “most-
favored nation” clause is out (if you don’t know what it is, no need to get up to speed on it). Also out are various restrictions on discounting by Google. Authors will get their cut, regardless: Google’s discounts still come out of its own pocket.

5. Well-Defined Future Potential Business Models. Future business models have been pared down to three: individual subscriptions, print-on-demand, and digital downloads. None of these business models can be implemented by Google without approval of the Registry’s board, and none can be implemented without notice to all claiming rightsholders, who will have the absolute right not to participate. (The Unclaimed Works Fiduciary, of course, will determine whether unclaimed works will participate in any future business models.) Note: this doesn’t affect the previously well-defined business models that get the green light on approval of the settlement—ad-supported previews, consumer online editions, page-fees for print-outs from public access terminals, and institutional subscriptions.

6. Plenty of Time. There’s extra time to make claims for the $60 to $300 per book digitization payments—it’s been extended to March 31, 2011. There’s also plenty of time to remove your works from Google’s database: You can ponder this until March 9, 2012. (Remember, we don’t recommend removal, since it’s irreversible: You’ll remove yourself from this market forever.)

What hasn’t changed? Almost everything else.

The settlement still provides these benefits to authors:

Find new readers. Out-of-print books need no longer be relegated to the used book market. The settlement will make out-of-print works available to hundreds of millions of readers, through ad-supported previews, sales of online editions, and institutional subscriptions. If a book catches on, there will be sales data to prove it, which may create an opportunity to bring the work back into print in traditional form.

In-print books are unaffected. A cardinal rule in the negotiations was not to disturb the market for in-print books. Titles that are in print won’t be made available through any of the means described in the settlement, unless the author and publisher expressly want them to be.

A Book Rights Registry to protect rightsholders. A nonprofit registry governed by authors and publishers will oversee the settlement on their behalf, to help make sure rightsholders receive the benefits they’re entitled to. (Sign up for the Registry by filing a claim at googlebooksettlement.com.)

A fair share of revenues. 63% of gross revenues go to authors and publishers; Google keeps 37%. The funds will be paid to the new Book Rights Registry, which will pay authors and publishers after retaining a modest administrative fee. If rights have reverted to authors, they will receive 100% of the rightsholder revenue.

Unprecedented control for authors and publishers. Authors and publishers will manage their rights through an account management page at the Book Rights Registry. Authors who control rights to their works, for example, may choose to allow Google to display ad-supported previews of books, sell online editions (authors may set the price or let an algorithm do it for them), and license the work to colleges and universities, or they may choose to block all display uses.

Authors may choose to allow Google to display ad-supported previews of books, sell online editions (at a price the author chooses), and license work to colleges and universities, or they may choose to block all display uses.

Authors’ estates, too. Authors’ estates exercise the same rights as authors.

At least $45 million in payments for unauthorized scanning. Any of Google’s digitizing of in-copyright books done before May 5, 2009 is considered unauthorized under the settlement. Google will pay to obtain a release of these copyright infringement claims. Under the settlement, Google will pay at least $60 and as much as $300 to rightsholders for each book that it scanned without authority, for a total payment to rightsholders of at least $45 million. ♦
How the Google Settlement Reads Across the Pond

Literary communities in the UK and Europe have been following the Google Library debate as avidly as their American cousins, anticipating future battles on their home turf and the more immediate effects of a U.S. settlement on non-U.S. authors and publishers. In a recent series of articles, the London Times looked at the issue from a variety of perspectives, two of which we reprint here, with permission.

The reader's view

TOM GATTI

Increasingly, we expect knowledge and entertainment—highbrow or low—at our fingertips. If we are struck with a burning desire to read, say, Robert Browning’s verse novel The Ring and the Book, we don’t want to have to hunt through our shelves in search of the battered OUP edition that we bought secondhand at university, only to remember, after overturning the sitting room, that we lent it to our sister last year, and now she is in Thailand, and the nearest library is only open on Wednesday afternoons, and the Waterstone’s on the high street got rid of its poetry section in 1997.

Google Books, in scanning the entire text of out-of-print works to be read onscreen or in some cases downloadable, is undoubtedly doing readers a favour. In a few seconds, a few clicks, we could be tucking into 21,000-line Victorian poems—or whatever takes our fancy.

This ultra-convenience can only be a good thing, right? Well, yes, but let’s not get too excited. For a start, this new deal affects only U.S. readers. Stuck in Blighty, for the foreseeable future we have to make do with the current Google Books set-up, which has a huge database but very little readable content.

Second, many out-of-print and out-of-copyright books are freely available, and have been for years, through Project Gutenberg—a heroic enterprise set up in 1971, in which volunteers type up whole works and make them freely available online in plain text form.

Third, my choice of the arcane The Ring and the Book was not pure flippancy: the majority of titles covered by this deal are likely to be pretty obscure.

Tom Gatti frequently reviews books for the London Times.

If you’re picturing an online Utopia in which you can freely graze Dan Brown’s latest opus, or even Martin Amis’s 1973 debut, you need to adjust your set.

In the long run, readers will benefit from Google Books. But it is not the only project spreading online knowledge, nor is it likely ever to be the one-size-fits-all, one-stop-shop global library that it aspires to be.

The writer’s view

ROGER BOYES

One outraged publisher uses an elegant simile for the Google bonus. It is, to paraphrase him a little, like a burglar cleaning out your flat and letting you know later that he was flogging your Bang & Olufsen sound system.

Not for me it isn’t. The resuscitation of out-of-print books is more like a thick burglar taking that ragged flea-bitten sofa left behind by your ex, putting it in the back of his white van, selling it to a sucker on eBay and splitting the profits with you. Bring it on, I say. Bring on Google, the deaf-and-dumb larcenist.

The fact is, some books are doomed from the outset to go out of print. They are the publishing equivalent of the yesterday’s newspaper-as-fish-and-chip-paper syndrome. Everybody in the business knows this the moment that the ink is dry on the contract. Don’t ask me about the publishing economics that underpin such deals; perhaps they are just about establishing a presence, showing the world that you haven’t fallen asleep in the club.

Thirty years ago I wrote a not-bad book with Simon Freeman called Sport Behind the Iron Curtain. It quickly landed in bookshop Siberia, just below 1001 Best Golf Jokes. A few years later I wrote a book about the transition from communism to capitalism that, if published six months earlier, would have been prophetic but which actually came out in 1990 when everyone had revolution fatigue.

Both books, needless to say, are out of print and apart from a few quotes in academic works—I track them down on Google Scholar, on wet Sunday afternoons—may as well be pulped and made into biofuel for the Third World. They have been, until this special day, dead paper. So please can I sign on the dotted line? There may yet be some life in the mangy works yet. And the sign-up fee will pay for a subscription to the TLS. Note to burglar: the garden door is always left off the latch.

Roger Boyes has recently published Meltdown Iceland (Bloomsbury) about the financial crisis.
If You Want Something Done Right . . .

BY ELLIS WEINER

Hi, Ellis—

Let me introduce myself. My name is Gineen Klein, and I’ve been brought on as an intern to replace the promotion department here at Propensity Books. First, let me say that I absolutely love “Clancy the Doofus Beagle: A Love Story” and have some excellent ideas for promotion.

To start: Do you blog? If not, get in touch with Kris and Christopher from our online department, although at this point I think only Christopher is left. I’ll be out of the office from tomorrow until Monday, but when I get back I’ll ask him if he spoke to you. We use CopyBuoy via Hoster Broaster, because it streams really easily into a Plaxo/Linkedln yak-fest meld. When you register, click “Endless,” and under “Contacts” just list everyone you’ve ever met. It would be great if you could post at least six hundred words every day until further notice.

If you already have a blog, make sure you spray-feed your URL in niblets open-face to the skein. We like Reddit bites (they’re better than Delicious), because they max out the wiki snarls of RSS feeds, which means less jamming at the Google scaffold. Then just Digg your uploads in a viral spiral to your social networks via an FB/MS interlink torrent. You may have gotten the blast e-mail from Jason Zepp, your acquiring editor, saying that people who do this sort of thing will go to Hell, but just ignore it.

The vi-spi is cross-platform, but don’t worry if you think you’re not on Facebook, because you actually are. Jason enrolled you when you signed the contract last year, or at least he was supposed to, and he told Sarah Williams he did before he had to retire and Sarah left for nursing school. You currently have 421 Friends, 17 Pending Requests, 8 Pokes, 5 Winks, and 3 Proposals of “Marriage.”

I’ve attached a list of celebrities we think would be great to blurb your book, so find out their numbers and call them up. Be sure to do all this by Monday, because Sales Conference starts Tuesday. We come back Friday and then immediately on Saturday (!) all of editorial (Janet, plus probably Michelle, her assistant) and I go to the Frankfurt Book Fair for a week. During that time the office will be closed, although to help cover the costs of the Germany trip it will actually be sublet to the John Lindsay Elementary School P.T.A. as a rehearsal space for this year’s fundraiser production of “The Music Man.” I’m told that this was one of the things that Jason didn’t understand and which contributed to his “condition.”

Once we get back from Frankfurt, we’d like to see you on morning talk shows like the “Today” show and

We’d like to see you on morning talk shows . . . so please get yourself booked on them and keep us “in the loop.”

“The View,” so please get yourself booked on them and keep us “in the loop.” If I’m not here—which I won’t be, since after the book fair I go on vacation for two weeks—just tell Jenni, my assistant, when she gets back from jury duty.

Remember in your blog to tabskim your readers’ comments. You can use Twitter, Chitt-chatTT, or Nit-Pickr. When you reply to comments, try to post at least one photo per hour of you doing everyday tasks around the house, such as answering comments and posting photos. Please make sure they’re pre-scorched. Let me know, when I get back from Retreat a week after my vacation, if self-surfing is a problem.

As re: personal appearances, to cut down on travel expenses we’re trying something new this season called RAP, or Readings by Author by Proxy. We’re asking authors in certain key areas of the country to stay “close to home” and give readings at local book-
Platform Challenged

BY ANDY ROSS

Leah Komaiko is a marketing consultant who specializes in building platforms. Her client list includes huge iconic corporations like Disney, DreamWorks and Saks Fifth Avenue. But she also works with writers who need to develop a platform at a time when a platform is usually what is needed to get a book published.

Leah was the author of 20 children’s books by major publishers; several were bought by Hollywood. I suspect that she still harbors a soft spot in her heart for writers and for books.

ANDY ROSS: Leah, we hear a lot about platform in the publishing business. As in: “This is a brilliant book, a groundbreaking concept likely to change the world. It creates a genuine paradigm shift in consciousness. That said, we feel that the author’s platform is weak and not likely to reach a large enough audience. Good luck somewhere else.” Why can’t publishers just make decisions on the merits of the book?

LEAH KOMAIKO: Good question. I think it’s because the good old days of publishing, like the good old days of so many things, are behind us. The editor who discovers great material for a book no longer has the biggest decision-making voice at a publishing house. Most often it’s the marketing team. First you need the good material. Then if there’s no market, the marketing department sees no merit regardless of the material, because they’re afraid they won’t make any money. Most publishers are struggling to stay afloat. It used to be a business that prided itself on taking big chances. Now they’re trying and needing to change their ways. And they’re not doing it flawlessly.

ROSS: When writers ask me to define platform, I generally say: “It means that publishers are too stupid, lazy and cheap to promote your book. So you will have to do it yourself.” Okay. That is pretty glib. You tell us exactly what they mean by platform.

KOMAIKO: Glib, yet eloquently put! I’d add to that that publishers up until a decade or so ago were not focused on being marketers. They knew how to publish a book but not how to sell it. The outlets for selling were easier—the venues for getting material, entertainment, information, were not like they are today. Between blogs, social networks, self-publishing, webcasts, podcasts, information and entertainment you can get on your cell phone, hundreds of cable TV stations, books on tape, books published on demand, magazines (although they’re crumbling), newspapers (although they are dying), and so much more, face a lot more competition for buying dollars and publishers are counting on you to help them catch up and get them into the marketing business before it’s too late. What’s a platform? As I see it, an existing audience. Whether that’s on TV, radio, a heavily visited blog (I’ve heard now publishers will be interested if you have 3,000 regular visitors at your site), a police record, etc.—you are known to people who’d be interested in reading your book. That is, in addition to your family.

ROSS: Hmm. I’m starting to get close to 20,000 hits on this blog. And I used to steal hubcaps. Maybe there is big money for me. But let’s keep on subject. I believe that publishers are anxious to look at worthy books even when authors have a weak platform. But getting them to contract is an unbelievably difficult challenge. What exactly can a writer do to build a platform? Drug-addled Hollywood starlets with a cellulite problem don’t need to work on platform. Scholars with endowed chairs at Harvard already have platform. But the rest of us are platform challenged. What can we do?

KOMAIKO: You would know better than anyone. Editors have got to be frustrated as hell because they crave worthy books and they need a platform to sell them. Not everybody is a starlet but plenty of starlets don’t have a platform that can sell a book. Remember Vanna White? What did she get for an advance for her memoir—I think it was $3 million plus somebody’s head after it was chopped off and they lost their job. To build a platform we start by looking at what we already have. I’ve worked with people who had an audience they didn’t even know they had. Their audience looked too small to make a difference, but

Andy Ross, for 30 years the owner of the independent bookstore Cody’s Books in Berkeley, is now a literary agent in Oakland, Calif. This interview is adapted from an entry on his blog, Ask the Agent: Night Thoughts about Books and Publishing. [andyrossagency.wordpress.com; Leah Komaiko can be found at www.leahkomaiko.com/index.html.]

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Why Authors Skip Hardback

One novelist’s decision to go straight to paperback

BY TEDDY WAYNE

In December 2008, at the height—or nadir—of the financial crisis, and at a time of massive bloodletting in the publishing industry, I got lucky and sold my first novel, Kapitoil, to HarperCollins (NWS).

Perhaps I owed something, ironically, to the very recession that made selling novels so difficult: The story is set in the New York financial industry in 1999, revolving around a computer program that predicts oil futures and a Muslim protagonist who narrates in a hybridized American business-jargon voice. All anyone could talk about then—and now, for that matter—was the economy. Kapitoil was suddenly hotly topical.

Yet HarperCollins wanted to publish it under its Harper Perennial imprint, which releases original trade paperbacks—no hardcovers. My agent received offers from other houses, too, at least one of which said it would not rule out a hardcover publication, as the book should appeal to men in finance, to whom $25 is a pittance (unless they’d worked for Bear Stearns, or Lehman Brothers, or . . .). Nevertheless, we went with Perennial and a paperback release.

Had I written the book in 1999, it almost surely would have been published as a hardcover, historically the more prestigious medium and a potentially far more lucrative one. But how readers consume books has changed, and paperbacks now make most sense for many books, especially debut novels like mine—and they’re likely the future of publishing.

Hardcover list prices are usually $22 to $27, whereas paperbacks tend to be $13 to $15. The royalty rates for the authors, however, are where the greatest discrepancies are found. For hardcovers, the standard royalty percentage paid to authors is 10% on the first 5,000 copies, 12.5% to 10,000, and 15% after. (This full-price rate, by the way, holds true even if Walmart decides to deeply discount the hardcover.) For paperbacks, which are usually published one year after the hardcover release, it’s typically a flat 6% to 8%.

So let’s say a $25 novel sells 5,000 copies in hardcover—strong sales for most debut novels that don’t have the words “Twilight” or “Harry” emblazoned across their covers. This comes out to $12,500 in royalties paid against the author’s advance. Tack on another 2,500 in eventual $14 paperback sales at a 7% royalty, and it comes out to $14,950. An original paperback release, then, would have to sell 15,256 copies to match the hardcover-plus-paperback royalties—a 2.03-to-1 ratio. So why did I willingly sign on for what promises to be lower royalties? Book sales, especially for novels, have declined precipitously, for reasons we all know about—competition from other media, the recession, the always-impending death of the novel.

“We’re seeing a lot of success with the trade paperback format, especially over the last few years,” Amy Baker, director of marketing for Harper Perennial, explained. “At a lower price-point, we feel that readers are coming to more books. It’s a great way to introduce new writers to readers. For a book like Kapitoil, which features a young protagonist and is written by a young debut author, we felt trade paperback was the format that would appeal most to its readership.”

A paperback release should result in higher total sales but probably less money, though this means the writer has found a larger readership and can potentially build off that for a hardcover release of the next book. And by choosing a hardcover release, publishers risk potential sales cannibalization by e-readers like the Kindle, which charges just $9.99. The only real problem with the paperback is that pesky flat royalty rate.

According to my literary agent, Rosalie Siegel, it’s proving difficult to overturn.

“In negotiating a contract, whether for a trade paperback original or as a follow-up to a hardcover, I always try to get the royalty to escalate after a certain amount of copies sold,” she said. “But it’s never easy. I have had informal conversations with publishers about the need to escalate the trade paper royalty if increasingly in the future this is the format in which fiction is published.”

Still, a few weeks after the bliss of the sale to

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CONTRACTS Q&A

BY MARK L. LEVINE

Q. I write and illustrate children’s books. My contracts say that the publisher is “not responsible for the loss or damage of any material” submitted by me. That’s okay for my manuscript since I have a copy on my computer, but what can I do about original drawings and watercolors that I submit?

A. Publishers that still have such unqualified, antediluvian language in their contracts should be embarrassed (though I’m not holding my breath). What they presumably mean to say is that if something happens to your artwork that is not their fault (the building burns down, a messenger taking it to another location is mugged, etc.), they are not responsible. That may be acceptable to you. But if an employee takes a piece of your artwork home to hang in his living room or someone inadvertently uses it as a placemat when eating lunch at h/h desk, there is absolutely no reason why the publisher shouldn’t be responsible.

Virtually every publisher recognizes this and, if asked, will readily qualify the clause you quote with “provided Publisher has exercised reasonable care with respect thereto” or, at the least, “other than in the case of Publisher’s gross negligence or willful misconduct.” Although these—especially the first—can be okay, better yet would be “other than in the case of negligence, willfulness or reckless misconduct by Publisher, its employees, agents or freelancers.”

The reasons why this alternative protects you (and your work) more than the first two are:

1. A “gross negligence” standard doesn’t provide you much protection. Essentially, it means a major foul-up—bordering on either incredible stupidity or intentional recklessness—and isn’t always that easy to prove. “Negligence” (without the adjective), however, is more likely to be the type of (mis)conduct that leads to the damage or loss of your artwork. Negligence is “the failure to act as a reasonably prudent person would under similar circumstances” or, briefly speaking, carelessness. Quite simply, the basic question involved is whether the publisher or you should bear the “risk of loss” for the carelessness of one of the publisher’s employees or freelancers. Even publishers who are intransigent on other issues should see the validity of your position if you phrase it this way.

2. Although mentioning only “negligence” should suffice to encompass standards of conduct that are worse—such as recklessness and willfulness (negligence is by definition unintentional; recklessness, though often bordering on being intentional, is generally not either)—specifically mentioning willfulness and reckless misconduct alongside negligence should eliminate any attempt by a publisher’s lawyer to argue that negligence means carelessness only.

3. Ordinarily speaking, referring solely to conduct by “the Publisher” should include any action (or failure to act) by its employees, freelancers and agents even if those groups of people are not listed in the clause we’re talking about. In some situations, however, a company might successfully argue that it acted with proper care in hiring the individual involved and, as such, is not responsible for certain acts by that person (e.g., ones that it could not foresee). Listing those groups of individuals in the damages clause should eliminate that possibility.

Q. I am considering signing a contract directly with an overseas publisher, but it refuses to change the clause that says any lawsuits—whether brought by it or me—must be conducted exclusively in its country. If it sues me, even spuriously, there is no way I could travel there to defend myself. Any suggestions?

A. This is a provision that publishers frequently refuse to budge on, but here are several alternatives you can try.

1. Provide that any suit by you against it has to be in the publisher’s country but any suit by it against you has to be where you live. This should discourage spurious lawsuits while not preventing a local lawyer (in whichever country) from being hired to pursue valid claims.

2. Choose a third location that is convenient for both of you or one that is mutually inconvenient. Either would put you and the publisher on equal footing, which is what you are presumably trying to accomplish.

3. Keep the clause but delete “exclusively.” It gives the publisher a significant part of what it wants but, from your viewpoint, doesn’t make


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Hot Packs Iced


U.S. District Court, Eastern District of Michigan, Southern Division

Excel Test Preparation, Coursepacks and Copies ("Excel") is a business owned by Norman Miller in Ann Arbor, Mich. It provides three business services: test preparation, ad hoc copying and student coursepacks.

At issue in the case was Excel’s provision of coursepacks to students. At the University of Michigan, when a university professor needs a coursepack prepared, he or she brings Excel photocopies of the content to be included. Excel assembles the contents into a "master copy," numbers the pages by hand, and maintains the master copy at the copy shop. Excel takes steps to ensure that the master remains a good quality copy, and occasionally has to send employees back to the original sources to recopy pages. Students who need coursepacks go to Excel and fill out several forms, including an affirmation that they are purchasing the coursepack for academic purposes. Excel then provides the students with the master copy, which the students must photocopy themselves. Excel pays no fees to the original publishers of the materials in the coursepack, which, by Excel’s own admission, enable it to charge a lower copying fee to the students. Since each student was personally required to make a copy for individual use, Excel believed it had the right to engage in such practice without paying royalties to publishers who held copyrights in the the coursepack material or to otherwise obtain permission from the publishers for the use of the material.

Blackwell Publishing, Inc., Elsevier, Inc., Oxford University Press Inc., Sage Publication, Inc., & John Wiley & Sons, Inc. all filed copyright infringement actions against Excel, claiming it violated their rights of reproduction and distribution under 17 USC §106 of the Copyright Act by providing copying services for 33 specific coursepacks to students at the University of Michigan, Ann Arbor, without paying the publishers who owned the rights in the materials copied or otherwise securing permission from them before doing so.

In evaluating the publishers’ copyright infringement claims, the U.S. District Court, Eastern District of Michigan, Southern Division, noted that the publishers must prove ownership of the relevant copyright-protected materials as well as actual copying of said materials by Excel. In this case, the publishers asserted 33 copyrights in Works copied by Excel, and Excel did not dispute the publishers’ copyright ownership interests in such. However, Excel asserted three separate arguments to support its claim that it did not wrongfully copy the Works. Excel first alleged that all of the publishers have authorized copying of their copyright protected materials, including the creation of the coursepacks made at Excel’s premises by the students. It next claimed that the publishers did not contend that the students or professors are infringers, which Excel asserted would be a prerequisite to finding Excel liable for copyright infringement. Finally, Excel claimed that its activities fell within the fair use provision of the Copyright Act. The court considered Excel’s arguments in turn.

In evaluating whether the publishers authorized the reproduction of the materials for coursepacks, the court noted that agreements were in place between the university and the publishers that specifically allowed for accessing and copying the relevant materials by "authorized users." However, the contracts limited the "authorized users" group to students and other members of the university, as opposed to an independently run off-site copy shop like Excel. The court found that only four of 33 works that were included in the coursepacks fell within the scope of the licensing agreements. Moreover, the licensing agreement made it clear that students could print and download materials only on university presses, using university facilities—not by going to an external third party copy shop and paying it for the right to copy the materials. Coupled with the fact that Excel made money from students copying coursepacks at Excel’s shop, the court concluded that the publishers did not authorize Excel to act as caretaker and copy outlet provider of the materials at issue.

The court also rejected Excel’s allegation that to be found guilty of copyright infringement, the students and professors would have to be found guilty as well. The court noted that the publishers do not contend that the students or professors were infringing their rights. Rather, since Excel was the source of reproduction, having control over the copying process from supplying paper to controlling how and where the master copy was reproduced, the court held Excel responsible for the unauthorized reproduction. More-
over, the court held that Excel’s delivery of the “master” to students to copy was in violation of the publishers’ Section 106 rights under the Copyright Act, which makes the right to lend a work an exclusive right of the copyright holder or proprietor of the exclusive rights. The court also noted that Excel engaged in unauthorized distribution when it gave coursepacks to students to copy and again when students paid Excel to copy the material.

Finally, in regard to Excel’s claim that its activities constituted fair use under Section 107 of the Copyright Act, the court found that prior case law held that for-profit copy shops like Excel could not lawfully reproduce copyright protected material under the “fair use” provision. As such, the court noted that Excel would have had to obtain permission from the publishers and pay their required fees before it could rightfully engage in coursepack distribution.

Ultimately, the court found Excel liable for copyright infringement and liable to pay the publishers’ damages, which are yet to be determined.

Domain Strain

TRSQ Quality, Inc. v. Gu Bei
WIPO Arbitration and Mediation Center
Administrative Panel Decision

When TRSQ Quality Inc. (TRSQ) learned that Gu Bei, a Chinese citizen, had registered the domain name “radioshacksucks.com,” it was none too pleased, since it licenses its highly distinctive and famous trademark, “RadioShack” (and other derivations of said term), to RadioShack Corporation, the well-known electronics retailer and service provider. On August 1, 2009, TRSQ filed a complaint with the World Intellectual Property Organization (WIPO) against Gu Bei, alleging trademark infringement over the use of the domain name “radioshacksucks.com,” which TRSQ believes is misleadingly similar to TRSQ’s “RadioShack” trademark and “Radioshack.com” domain name. TRSQ further asserted that Gu Bei was not using “radioshacksucks.com” as a site for genuine criticism, but to lure Web browsers to a different website hosting pay-per-click links that generated revenues for Gu Bei—thereby exploiting the Radioshack trademark for profit as opposed to functioning as a noncommercial or fair use of the domain name. The case was heard by a one-person panel, with neither a response nor an appearance by Gu Bei.

In its decision, the panel noted that the Uniform Dispute Resolution Policy (UDRP)—a set of rules that govern the recovery of wrongfully registered domain names—required TRSQ to prove the following before the panel could take action to reclaim the domain name on behalf of TRSQ: i) that the domain name radioshacksucks.com, registered by Gu Bei, was identical or confusingly similar to the domain name “radioshack.com”; ii) that Gu Bei had no rights or legitimate interests with respect to the domain name “radioshacksucks.com,” and iii) that the domain name “radioshacksucks.com” had been registered and used in bad faith by Gu Bei.

In regard to whether the domain name “radioshacksucks.com” was identical or confusingly similar to the domain name “radioshack.com,” the panel found ample evidence that TRSQ owned a number of derivations of the trademark “RadioShack” and that the domain name “radioshacksucks.com” is confusingly similar to TRSQ’s “radioshack.com” since it utilized the entire trademark “RadioShack” in the domain name. While the panel noted that there are a number of conflicting prior decisions as to whether the addition of a descriptive term like “sucks,” a derogatory word, would make it unlikely that Internet users would be confused as to source and affiliation, the panel took the position of those earlier decisions, which held that some people may overlook the term “sucks” in the domain name and that not every user

Legal Services Scorecard

From August 2 through December 2, 2009, the Authors Guild Legal Service Department handled 389 legal inquiries. Included were:

- 34 book contract reviews
- 4 agency contract reviews
- 10 reversion of rights inquiries
- 109 inquiries on copyright law, including infringement, registration, duration and fair use
- 13 inquiries regarding securing permissions and privacy releases
- 20 electronic rights inquiries
- 199 other inquiries (including literary estates, contract disputes, periodical and multimedia contracts, movie and television options, Internet piracy, liability insurance, finding an agent, and attorney referrals)

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CENSORSHIP WATCH

Banned in China, Published in Hong Kong. Twenty years of research and writing came to fruition for one Chinese academic this fall thanks to the greater freedoms enjoyed by a Hong Kong publisher, New Century Press, and its activist editor, Bao Pu. Hong Kong remains unencumbered by some of the restrictions on free speech prevalent in mainland China, a situation often referred to as “one country, two systems.” The difference is so pronounced that at least one bookstore, the People’s Recreation Community bookstore, specializes in the sale of Hong Kong-published books banned by the mainland government. Chinese Civilisation Revisited, a critical exploration of 5,000 years of Chinese history and culture by journalist Xiao Jian-sheng, had originally been scheduled for publication in 2008 by a mainland Chinese publisher associated with the government’s social sciences academy. The manuscript was edited, and the book was being advertised for sale when it was cancelled. Although the book does not contain detailed commentary on the political situation in China after the 1949 Communist takeover, it appears that the government pulled the plug on publication. Nor does the greater freedom of the Hong Kong press mean that publication is without consequence for either its author or publisher. Government officials reportedly came to Xiao Jian-sheng’s workplace to exert pressure on him after learning that the publication was timed to coincide with the October 1 National Day holiday celebrations. The Hong Kong-based Bao Pu, son of an aide to Zhao Ziyang, a Communist secretary who fell out with party leaders—in particular over his sympathizing with the 1989 Tiananmen Square protesters—and who lived under house arrest until his death, is already under constant police surveillance and at the mercy of Beijing officials when it comes to obtaining visas to visit his family on the mainland.

Florida Nails a Flim Flam Man

On September 3, 2009, after receiving over 175 complaints from around the world, Florida Attorney General Bill McCollum filed a lawsuit against Robert Fletcher, the owner of Writer’s Literary Agency, as well as a host of other fictitious literary agencies that operated solely on the Web and are all alleged to be run by Fletcher. Specifically, the lawsuit claims that Fletcher operated more than 20 websites, all of which purported to be legitimate literary agencies, but in actuality functioned to collect money from prospective authors by charging fees for a host of services that were never rendered, including editing, critiquing, and marketing services. Fletcher has already admitted he had no background as a literary agent and used at least 10 different aliases to scam potential authors. The lawsuit seeks injunctive relief against Fletcher and his businesses and seeks to prohibit him from pursuing further business activities as an agent or in publishing. The lawsuit also seeks full monetary restitution on behalf of all of his victims, in addition to civil penalties of $10,000 for each violation of the Florida Unfair and Deceptive Trade Practices Act. We will continue to follow this story and report any further developments.

Europe Tells Turkey to Straighten Up and Fly Right. Turkey isn’t doing itself any favors in its efforts to join the European Union by levying billion-dollar fines against media companies, or by bringing and allowing lawsuits against journalists and writers such as Orhan Pamuk, the Nobel Laureate who is now being sued for making a remark about the number of Kurds and Armenians killed in Turkey. In its annual progress report issued on October 14, EU officials identified various actions taken by the Turkish government, including attempts to suppress free expression, as creating a barrier to EU entry. The report paid particular attention to the government’s imposition of a tax penalty equivalent to $3.9 billion dollars on Turkey’s biggest media outlet, Dogan Yayin, which is critical of the ruling party. Apparently, the amount of the fine is as much as the company’s annual income, a fact that led the EU to characterize the penalty as something that “feels like a political sanction.” The report did praise the Turkish government’s recent efforts to ease hostilities with Armenia and improve relations with the Kurds. However, the continued objections of France and Germany, along with the criticism of Turkey’s actions as threats against free speech, make it appear as though EU membership is unlikely to be granted in the near future.

—Anita Fore
SYMPOSIUM

What’s Hot and What’s Not: Current Trends in Children’s Book Publishing

What’s selling—and what’s likely to be selling next year—was the subject of lively discussion at the Children’s Book Panel sponsored by the Authors Guild Foundation July 8 at Scandinavia House in New York. The panel brought together five well-versed children’s book veterans: Kim Brown, Barnes & Noble’s Vice President of Merchandise at the time of the panel, is currently VP for B&N’s Sterling Innovation imprint; Lisa Desimini is the author and/or illustrator of 30 children’s books, including the award-winning My House, I Am Running Away and Love Letters; David Levithan is both a children’s book author and the Executive Editorial Director of Scholastic Press Fiction, multimedia publishing and the PUSH imprint; Marcia Wernick is a children’s book literary agent at Sheldon Fogelman Agency, representing award-winning authors and illustrators including Katherine Applegate, Peggy Rathmann and Mo Willems. Council Member Rachel Vail, the author of more than 30 young adult novels and children’s books, including the award-winning Wonder and Do-Over and the “Friendship” and “Mama Rex and T” series, served as moderator.

RACHEL VAIL: Thank you all for coming out on this beautiful night, to this beautiful space. I’m delighted to see so many people here, but not surprised, because, as authors, we tend to be alone in a room. It’s hard to know what’s going on, and yet it’s vital for an author to know what’s going on, what’s new, what’s hot and what’s not. Not that you’re going to write vampire books because vampire books are on the top of the bestseller list right now; when your love is picture books for two-to-four-year-olds that have to do with puppies, you don’t have to make the puppy a vampire! It’s not about following the trends. But one of the things I’ve learned from being a part of the Authors Guild is that it is important as an author to take full responsibility for your work, and that doesn’t just mean your sentences—it means the business of the work as well. So I’m delighted to be joined here by all of you in pursuing this part of our “what’s going on in the field” sessions, and certainly by the esteemed panel members you see before you. I’m going to let each of them speak for a few minutes, and then we’re going to open it up to your questions.

Kim, do you want to start?

KIM BROWN: I’d like to outline what we’re seeing in retail. We have two basic things that are selling very well. Anything that’s pink, purple, gold and sparkle, and anything that’s dark purple and black and has any type of vampire on it. I’m sorry, but that’s really what’s selling. You could throw some wimpy kids in there, anything in the diary format, and that pretty much wraps up what we’re seeing customers responding to right now.

The economy affects us all, and while kids’ books are a little more protected because, I think, parents are still committed to buying books for their children, they still look at price point and it’s very important that we don’t really push that envelope. What we’re seeing in the price resistance category big time are toddler and preschool. Holiday books, picture books and classics.
A customer comes in and picks up a picture book that’s eighteen or nineteen dollars and she’s going to put it back down and pick something a little less expensive. So unless it’s offering something with some perceived value or something that’s very unique, like Workman’s Waddle, Swing books or the “ologies,” customers really aren’t paying the extra one, two, three dollars for their books.

A couple of areas where we see less price resistance are some of the nonfiction books—again, if the customer perceives the value—and teen. Teens have incredible buying power and they’ve had this buying power for the last ten years. Every year I say, “It can’t continue, it really can’t. The pace is crazy, you know, one of these years it’s going to stop.” But it hasn’t. It’s been incredible to watch this growth. It’s absolutely astonishing. And it’s everything from Dark Romance to Zombies, and, you know, misery has its foothold as always in the teen category. And if we can figure out how to get teens to recommend books to other teens on the Internet, I think it’s a surefire way to keep this sales trend going. We’re using a lot of Internet promotions and publicity, with authors recommending other authors and that really is working. I don’t know the magic formula. I wish I did.

VAIL: That’s fantastic. Right there I got my money’s worth. Lisa?

LISA DESIMINI: I needed to hear that too. I am one of the author/illustrators who sits at home by myself, working in my pajamas, wondering what’s going to be the next hot thing out there. But for the most part, I follow trends when it’s kind of something I want to do anyway. Being invited to be on this panel made me stop and think about it a little bit and I went and looked at all the books that I’ve published over the last twenty years and I said, “Hmm, okay, which ones are still selling, which ones am I still making royalties for,” and I realized that it was the folktales and a collection of poetry that had a really interesting hook. And then there’s this one book that my editor asked me to write. She said, “You know, my son really loves firemen and fire trucks,” which most kids do, both boys and girls. But she said, “He’s really interested in fire dogs and there are really no books on the market. Would you be interested in doing a book about a fire dog?” I really had no interest in doing a book about a fire dog. But I was really excited about the idea of having a challenge, and of having somebody almost give me an assignment, because I loved school and I loved being a
student. So I said, "Well, I'm going to take that challenge on."

My first love is fantasy and magic, which always seems to be very popular, which I'm happy about. So I first thought Okay, I'll give my fire dog wings, or I'll give him some magic powers. But it wasn't quite working and I shifted to more of a straightforward children's book, like a day in the life of a fire dog, which was hard for me to do, it was against my nature. It took me a while but I finally found a voice, a much younger voice, and I really enjoyed writing this book. So it's kind of fun to be brought to a subject in a different way. It wasn't so much what was popular, it was more like talking to a mom who said, you know, "My son is looking for this and he can't find it. Would you be interested in doing it?" Well, I have to say, that book has sold more than all of my books put together. So, of course my husband's like, "Will you write Dot the Fire Dog Number II?"

After that experience I started opening up my mind a little bit and asking other friends, "What kind of books does your child like?" Or asking my nephews what kinds of things they like to read. I have to say, it's pretty varied, from monsters and fantasy to rhyming books to books about family. For the most part, I've followed my heart and soul. When my heart and soul is in something, I will do anything to make it work. Of course I pay attention if my editor says to me, "Well, maybe simpler books or younger books are doing a little bit better." Then maybe I'll take the subject I'm interested in and maybe simplify it a little bit.

But I still find that I'm obsessive. A lot of artists are. Obsession and passion is a nice mixture, so if I get hooked on something I'm interested in I won't let it go until I can figure it out and work it into a story. Sometimes it has to go on the back burner and sit for a while and it maybe won't sell until the next year or six months and I'm working on something else that might sell sooner—you know, always working on a few things at once.

Talking about vampires I had to laugh, because I actually do the covers for the Charlaine Harris books, the True Blood series. These are adult books—I just do the covers. And for eight or nine years I've been doing these books and I've seen them become huge and popular all over the world. And I go visit schools and I'm talking to fifth- and sixth-graders, and the kids ask me, "Well, do you like vampires?" And I say, "Yeah, you know, I love vampires and magical creatures and stuff." And then they ask me about this book, and I almost was speechless, because these books are not for fifth- or sixth-graders. They are filled with vampire sex. I mean some rough vampire sex! I was in shock. My art style is brightly colored and stylized, and what it made me realize is that kids that age simply love the supernatural and vampires. I've seen it work its way all the way down to picture books. I just did an illustration for a possible picture book called Gummy Baby, the Toothless Vampire. So I see that the supernatural is so popular, in all the different age groups, which is thrilling for me because that's what I love.

Also, it seems that biographies are getting popular for picture books, and I like them a lot. Books like Dizzy and Frida, I love those books. I just finished a book about Bettie Mae Tiger Jumper, a Seminole Indian who became the first woman chief of her tribe. And she also wrestled alligators, that's the reason I illustrated the book, because it was just wonderful. But that was a beautiful biography written in a very poetic way. An unusual picture book: it's a forty-eight-page picture book for older kids, which I'd never seen before. I was very shocked. I think it's for third-, fourth-, fifth-graders. The last thing I wanted to say is that my philosophy is, you never know when your book that is not following a trend, will start one. So, I like to keep things open.

VAIL: Lisa, there are two things I want to mention about what you said. One is, I like the idea of rough vampire sex, as opposed to the other kind. And also, I
think it’s very interesting what you’re highlighting. I think sometimes we as artists get very stuck in, “No, I’m going to stay true to my vision.” The opposite of, “I’m gonna follow any trend and just be blown by the wind.” But I think what you’re highlighting is the idea that we can be true to ourselves and to our creativity and still be open to a suggestion and to the world. And if somebody says, “But what about a day in the life of a firehouse dog—?” That might not be your thing—until you try it. I think you made a good point, to stay open to the suggestions of the world—which clearly you all are because you wouldn’t be here otherwise.

David

DAVID LEVITHAN: Two disclaimers: The first is that I am here as an individual. I am a writer who does have a day job, my day job happens to be for a publisher, but you’re about to get my take on things, not necessarily Scholastic’s take on things. So don’t blame Scholastic for anything I say. The second disclaimer is that, because of where we are, the rest of my remarks will be in Swedish. I remember Victor Borge from the Muppet Show—that’s what that was. There are so many ways to tackle the subject of where we are now. What I feel is remarkable about right now is how little right now matters, and how profoundly things are about to change. I think looking at right now, and trying to figure out what you’re gonna do or where publishing is going, isn’t what you should be doing. If you’re trying to catch a trend, by the time you get to the trend, it’s already left the station. That has always been true of children’s books and teen books. Whatever makes the trend is the book that is the best-selling. None of the other vampire books will ever sell as well as Twilight. None of the other magic books that came after Harry Potter would sell as well as Harry Potter. Etcetera. You can catch a little bit of a wave, but now that “vampire” is cresting, by the time you got there it’s already pretty flooded. It’s selling, absolutely. I’m the author of a vampire parody book, so I’m certainly on that wave too, but again, that’s not what matters. If you’re interested in children’s publishing and if you’re interested in book publishing, what matters is the sea change that is about to occur.

We are exactly where the music industry was eight or nine years ago. Everything is about to change and the question is, what’s going to happen because of it? We’ll be recognizable ten years from now, but the way that we read, the way that we write, the way that we publish will absolutely have changed. If you don’t believe that, you’re in for a rude awakening. So the question is, how will we adapt? I wish I had all the answers and I’m sure you all have come up with theories, but I think what’s really interesting is to see that we are all sort of going—not blindly, but in some very good faith—forward, and realizing that we have to adapt to the reading environment that we are now in. It seems that it’s the wonderful strange bedfellows of scary and exciting, because I think the possibilities are both extraordinarily scary and extraordinarily exciting. Exploring that—getting over the scary part and getting to the exciting part and figuring out how to make sure the work remains ascendant even if the delivery device is going to change—is the challenge before us. As publishers, as retailers, as authors. We’re all in the same boat and we all want the same thing. We want those words to continue to go out there in all sorts of forms. I think the future is not about replacement; it’s about options, and I think the sooner you realize that the less scary it is.

I think people are very attached to books, as they should be; the book is a beautiful device. The book isn’t going to go away anytime soon or anytime ever. However, there are going to be more options for reading. And as authors, the question isn’t, “Are we all book writers?” but “Are we writers of stories, people who string words together?” I think if you think of yourself in the way of the story and not in the way of the book, that opens you up greatly to what is about to happen. That’s the most profound thing right now. We are going to digitize, with a huge asterisk here, because I feel like I’m talking to half the audience here. I do not think the picture book industry is going to have as radical a change. I absolutely think there are going to be more options, but my authorial concern is novels and that’s really where I’m coming from. So yeah, I think if you’re looking at the present, it is really exploring what’s going on by looking at the apps on the iPhones, by looking at the way retailers are selling books and really shaping their stores to be community centers. And also, the way that they’re selling books in other nontraditional ways. That’s the best thing that you can do to prepare yourself for what’s going to happen.

VAIL: Just one thing to add. The best way that you can participate in this change, know what’s happening and make sure that your contract rights are being protected as platforms change is to join the Authors Guild. It’s the most cost-effective way to protect yourself. The Authors Guild has been doing a tremendous amount of work on the Google lawsuit and all kinds of other things to protect authors’ rights as things change. And David is absolutely right, we have no way of knowing exactly what the delivery mechanisms will be. Things are changing like crazy and over the next ten years things will be sort of ironed out. But your contract is going to last longer than that. The contract that you sign tomorrow—you want the Guild to look over it,
And publishers are being cautious. The wonderful enthusiasm for YA’s is, I think, going to slow down. And yes, Kim said, “It can’t keep going, it can’t keep going.” I think, between demographics and publishers being more cautious, that it will be tougher to get as many YA’s published as there have been. I think across the board publishers are being more cautious and will be publishing less. So what does that do for you? You can’t follow trends in any way, shape or form. Yes, I think the next trend is the dystopian novel but the other day I was talking to an editor who had forty-five novels submitted to her in a month. They were all dystopian novels. She already had one on her list so she didn’t buy any of them. The competition is fierce. But it’s really exciting out there. There’s so much creative force, so much competition to do the best. As an agent, my feeling is that content is king. And yes, what David is saying about the story, about being a storyteller—that’s what you do. That is your job. You need to be looking at characters, you need to be looking at stories, and creating the most powerful stories and characters that you possibly can. It’s also looking at and being aware of the market and finding a hook. Yes, the fire dog. There is an unusual market. Kids like fire trucks. So that’s a hook. Curriculum-based stories. That has a natural hook. So you have to be true to your creative muse, but you have to be aware of what the retail market can wrap itself around. And you can’t think about the trends, you have to write the best book that you possibly can.

VAIL: Thank you. That really sums it up: Be aware of the trends, but don’t be blindly following them, right? Okay, let’s open it up to questions.

AUDIENCE: I have a question for all of you, but in response to something that Marcia said. I’ve heard recently that the YA market is slowing down, but what’s coming up is the middle grade and ‘tween, and I wanted to know, first, what your opinion is of all that, and second, if you could articulate what exactly the differences are between teen and ‘tween. Where does ‘tween end and teen begin?

VAIL: They’re hard, right? I mean middle grade—I always hated that term because to me it sounded like a value judgment. “You write good books?” “Well, sort of middle grade books.” Or else like a porn category—It’s not hardcore, it’s more, you know, middle grade. So I always hated that and young adult. I started writing when I was twenty-two or twenty-one, and young adult? I wasn’t sure I was yet a young adult. At that point, I knew I wasn’t a teenager, I wasn’t sure if I was a kid anymore, but certainly it was clear to me that I was not any brand of adult. I figure, now I’m finally a young adult. So I’m just going to clutch onto that and keep thinking that.

WERNICK: I think that it’s the age of the protagonist. So if you’re writing for a young adult, it’s usually at least twelve, thirteen and up and generally targeted for readers twelve and up. In middle grade novels the protagonist is younger, nine to twelve, and it’s geared
for those readers, often referred to as ’tweens. There’s a younger range of books as well, called early or beginning chapter books, or young middle grade novels. Publishers are definitely looking for these younger books, targeted for readers ages seven to ten. And the protagonist, like a Clementine, is a third-grader. The things that happen to a third-grader are very different from what happens to a seventh- or eighth-grader. It’s also less dramatic, but it has to be a really strong read. But what happens to a third-grader is much simpler. I think one of the reasons that it’s so difficult to write the younger age group is because as adults our memories of that age group are less vivid.

AUDIENCE: What is that called, if it’s about a third-grader? Is that middle grade?

WERNICK: Young middle grade. Or early or beginning chapter books.

AUDIENCE: Just to clarify, I thought kids generally read protagonists that are two to three years older, so if the character is fourteen . . .

WERNICK: Yes they do, but not always. There’s a number of books, like the Clementine books and Judy Moody, where the protagonist is in third grade and the readers of that can range from second to fourth grade. They will be a little younger, but they can also be of that age. Kids, at that age, will read a broader range of books.

AUDIENCE: Can you define the dystopian children’s novel?

WERNICK: Bad times! Hunger Games, by Suzanne Collins, Gone by Michael Grant. It’s about bad times. It’s a trend in full swing. Publishers have them, publishers have bought them, they’re coming out, there’s a lot of competition. You have to create something that takes your novel a step further or in a different way, to add your own personal and original hook to it. Bear in mind that years ago everyone said about Historical Fiction, “You can’t get it sold.” And, if you had said, a Holocaust novel, “Oh please, not another Holocaust novel.” But Markus Zusak, The Book Thief, did it in such a different way. That is what you as a creative person have to think about, how to take the tried and true format and make it your own. Come at it differently; make it unique.

VAIL: I have a follow-up question to that. We’re in a recession, a pretty big one, and it looks like it will continue at least for a few years. Historically, when times are hard economically, have we seen more dystopian novels or do we see a lot of light reading? When I think about the Depression, the popular entertainment of the time was not so much dystopian stuff, but a lot of humor.

WERNICK: Humor always sells.

VAIL: Okay. Does anything correlate to the economic . . . ?

WERNICK: No. I think we’re in a very different economic place than children’s books have ever been. So I don’t know. I don’t see a correlation.

BROWN: What we’re seeing is Romance. Since last year, Romance works for adults have really started to sell for kids. But “end-of-the-world” type children’s books really started with the adult trend. We saw a lot of sales increases in adult and then teens started looking at them. People read up. So teens are reading the adult, horrible, tragic books and now they want their own.

VAIL: So do you see that children’s book trends tend to follow adult book trends to some extent?

BROWN: I think there’s a lot of crossover, especially now with the teen reader. Sometimes it’s hard to tell who the book is really for, if it’s adult or if it’s teen. I also wonder sometimes if adults aren’t picking up teen books because they’re more affordable.

VAIL: Interesting. Okay, next.

AUDIENCE: Has the economic situation led to fewer hardcover sales and more paperback ones?

BROWN: Trade paperback has been the format of choice for many years now, but we’re also seeing books for young readers coming out in hardcover, and that’s actually working. So I guess there’s really no rhyme or reason.

VAIL: Kim, when you say it’s the format of choice, what do you mean by that?

BROWN: I meant for adult books. Trade paperback has really risen over the last five, eight years. Mass market has gone down some and trade paperback has taken over mass market and hardcover, all across the board. And you’re seeing a lot of that in kids’ books as well.

WERNICK: I also think that publishers are getting much more creative in the packaging of their books. That they are thinking individually about the book and—whether paper or board—keeping the price point down. I’m seeing more unjacketed paper-over-board picture books at a lower price point.

VAIL: (to audience) Do you know what paper-over-board means? Do you want a definition? Kim could you define that?
"We’re in a recession, a pretty big one, and it looks like it will continue at least for a few years. . . . When I think about the Depression, the popular entertainment of the time was not so much dystopian stuff, but a lot of humor."

—Rachel Vail

WERNICK: It doesn’t have a jacket. [Holds up Suddenly Supernatural, by Elizabeth Cody Kimmel.] So this is priced at $10.99 and it’s a hardcover. It’s an original hardcover. It’s a first in a series of paranormal middle grade books, and again, it’s taking a trend of the supernatural that was established for YA and bringing it down to middle grade in a very acceptable format.

VAIL: If you’ve seen A Series of Unfortunate Events, those have beautiful packaging of paper-over-board. I know my kids liked the books. They liked them like they did lots of other books, but the series looked so good on the bookshelf that missing two out of the thirteen was unacceptable. Even though they had already read them, they needed to fill in their set. So that’s a nice marketing thing too.

AUDIENCE: I was wondering about marketing and print runs. When I started publishing there were a lot of regular runs and now I don’t think publishers give any money to keep a book in print unless they run a hundred thousand up front. Do you have any comment on that?

WERNICK: There’s a big space between ten thousand and one hundred thousand, so . . . not all books are one hundred thousand copies.

VAIL: What’s a typical print run?

WERNICK: I don’t think there is a typical one.

LEVITHAN: It really depends on the book. It depends on whether it’s primarily for institutions, for the library, or whether it’s more of a trade book.

AUDIENCE: It seems that publishers are depending almost entirely on trade sales because they’ve dismissed all the direct marketers and sales people in connection with the school libraries. The school library doesn’t seem to be as much of a factor.

WERNICK: It used to be that the school library market was probably, I don’t know, 78 percent of sales. That’s not the case anymore. But there’s still a market for school library sales. We all know that funding has dropped, but that doesn’t mean it’s not there.

AUDIENCE: How much are awards and critical reception related to sales?

DESIMINI: I’ve had books that have gotten a lot of attention and won a lot of awards and the sales were just not great. And then I’ve had books like the one I was telling you about, Doug the Fire Dog. I actually got the worst review of my life for that book. It sold tremendously and I had parents telling me, “I have to hide the book because I’m tired of reading it.” So that just perplexed me and I thought, basically, I just want to try and write, do the best I can, do the best book I can do and then whatever happens, happens. You just never know.

VAIL: It’s true that if you win the Newbery, if you win the Prince award, you’re going to have a big bump in sales. But what about state awards? I’ve heard that if you win the Texas award or even if you get on the list, you sell. They’re state reading awards and, I think, if your book is on the list, Texas or Tennessee is going to sell a big truckload of your books.

So that’s a way that awards make a difference. Do you see a difference with the Lambda award, or anything like that?

LEVITHAN: Somewhat. I think the Newbery and Caldecott are in a category of their own, the Prince not as major yet. It gives you a bump, but not quite as much as the Newbery or the Caldecott. I think the state
help. Especially if it’s Stephenie Meyer, the Oprah of young adult marketing. But she uses her power for good. So I think that we are seeing that. Because of Facebook, because of websites, because of the communication, not only are teens listening to other teens, they’re listening to other authors as well. So those recommendations mean much more than a good review.

AUDIENCE: My question is about new platforms. I read that the Japanese have invented a new reading device in full color spectrum. And I wonder to what extent the book industry is starting to feel the effects of downloads of books, print on demand, and if the graphic novel, for example, which seems to span the old and the new media, has had an impact on children’s books?

VAIL: Last year a friend of mine who does video games asked me what platforms I had and I said, “Some metallic ones . . .” I thought he meant shoes! Platforms, for those of us who are a little behind the curve, is what you’re reading something on or what you’re playing it on. Is it on Wii on the computer, on the Kindle? So that’s the question about platforms and, apart from this, this lady says that the Japanese have already invented a Kindle-like thing that has full color. How has the children’s book industry already been affected?

LEVITHAN: I would say that the children’s book industry, so far, has not been affected. But man, we’re about to be.

VAIL: Brace for impact!

LEVITHAN: Exactly. One of the few things we know concretely about Kindle is that the primary demographic for their readership is over sixty. This is because you can make the words bigger. So we have not been seeing a huge number of teenagers running out and buying Kindles or Sony Readers. Yet.”

—David Levithan

awards are hugely influential for authors in those states. Reviews matter not so much. I think that they affect the institutional buy a lot and certainly if you get a lot of rave reviews and a lot of star reviews, that makes a lot more people pay much more attention. So a huge mass of good reviews helps; I don’t think one review will make or break your book unless it’s by Stephenie Meyer, then it can.

VAIL: If the review is by Stephenie Meyer.

LEVITHAN: Right. Or if she blurbs it on her website. I think authors are doing a great job of blurbing other authors on their websites now and we are seeing that that does have concrete results—that if you trust an author, if you love an author, and that author says you have to go out and read this book, it’s really going to be read.
LEVITHAN: I think it depends on how quickly the stimulus money comes. I don’t mean that facetiously. I think education is so strapped right now that the odds of all but the most elite schools reformatting and suddenly giving all their students readers are very small. They’re still struggling to get kids laptops. So I think, for the foreseeable future, that transition is going to happen in more fortunate schools only. I think that’s where it’s going to go eventually, but I’m not—and again this is me, personally—I’m not seeing that that switch over is going to happen nearly as quickly as it will for airport reads and books that you’re reading for pleasure.

WERNICK: We grant permission to textbook companies to use selections of books. And they always ask for the ability to create an electronic version as well. But the numbers that they’re doing in an electronic format are minuscule compared to the number of print textbooks. For some reason, at this point, the educational industry, particularly the textbook market, has not yet transitioned to electronic and it’s not being embraced by students. That’s the only concrete evidence that I have, other than the Kindle being embraced by older readers. So, I don’t know. It may change, but so far it hasn’t.

VAIL: Writers, make sure what rights you’ve been given in your contract. Which platforms have you granted to the publisher and which have you retained, and is your agent working on those or is there a market for those? And know that that might change over the next few years.

WERNICK: Those rights are usually controlled by the publisher because it is a selection right. What we usually try to do is have approval over the licensing of the rights and that’s how we get involved.

AUDIENCE: Has there been any change in interactive books, like coloring books or books that involve activities or that the reader put something into it?

LEVITHAN: Not yet, no.

VAIL: What about The 39 Clues?

LEVITHAN: The question was referring to coloring and activity books, for a younger age. Have there been multi-platform applications? So far the answer is no. Being able to go to a website for fun things to do—that has occurred, but not in place of the book. It’s more a supplement to the book. For older kids, we’ve been really diving into multi-platform apps the last few years. We’ve been serious about The 39 Clues, which is for kids roughly aged thirteen years old, where the books do stand alone, but they pretty much unlock a whole Web game online. That was our way of expanding the notion that you don’t have to confine yourself to the pages of the book. Basically, you read the books—which are about two kids going on this hunt around the world for 39 clues—and then go to the website and you are one of the members of this family looking for the 39 clues. You’re basically playing alongside the characters.

AUDIENCE: About a year ago, The New York Times Book Review said they reviewed a book—I can’t remember the name of the book, I think it was called Blue Star?—and it started out by quoting the author who said it was a children’s book for adults. And that struck me. Have any of you ever heard of this concept? Is it a viable category within publishing?

LEVITHAN: Absolutely. That was Tony Earley’s book and it was the sequel to Jim the Boy, which was a really fascinating book. If you haven’t read it, it’s a great book. Which is interesting because it is pretty much a kid’s book content-wise. It’s about a young kid living with his bachelor uncles and in the second one he’s become a teenager. But it was really interesting to see the way it was published—as an adult book, for an adult readership, but is was also one of the rare adult books that was used on our Scholastic Book Club. Because, content-wise, you could read it. There was no profanity, there was no sex, no violence. It was incredibly appropriate for a fifth-grade reader, but it happened to be published for adults. So I think that just highlights how blurry the line is.

Most of the classics we think of that are teen were published as adult: The Catcher in the Rye, A Separate Peace, more recently The Lovely Bones. Its first serialization was in Seventeen magazine. It was published as an adult book and sold, I’ve heard, very well for adults, but teens read it as well. I knew that Twilight had become a phenomenon because I’d see these forty-year-old male stockbrokers on the subway reading it. I just wanted to be like, “Dude, that’s a romance!” That’s great, but we used to do it one way, where adult books could be read by teens. Now, it’s totally blurring both ways. Teen books are being read by adults, and vice versa, which is great. If you ask 97 percent of authors, especially those who write for teenagers, they will say they’re not thinking about who they’re writing for when they’re writing the book. They just write the best book that they want. They’re not saying, “Oh! I have a teen audience, I must constrain myself.” They’re just writing the story. And more often than not, it’s something that adults can read just as well.

AUDIENCE: This is a question that is posed mainly to David. I wondered, not only at Scholastic but at other
publishing companies, how open do you find they are to un-agented submissions?

LEVITHAN: Not very open. I think the climate has changed so much that we are almost entirely reliant on the gatekeepers, and agents really are the gatekeepers. Most of us do have policies. Scholastic doesn’t accept unsolicited manuscripts. We haven’t for seventeen years now. Occasionally editors go to SCBWI or other conventions. They send things to me. But that’s personal, that’s not corporate. I personally never do that. I think we really rely upon the agents to recommend the best work. And I also think—and I’m genuinely not saying this because Marcia is sitting next to me and has water that she can throw on me!

WERNICK: It’s empty!

LEVITHAN: A typical agent trick! One of the most frequently asked questions I get, especially in rooms full of authors, is, “Do you need an agent?” Four or five years ago and earlier, I would waffle. I would say, “Well, no, if you have the right organization behind you, if you have the right wherewithal, if you think you have a good lawyer, that’s great, go for it. But as of four or five years ago, I’ve changed my answer and I say, “Yes. You need an agent.” Because the times are changing so much, and because there are so many uncertainties, having an advocate is key. Also, having an agent’s recommendation will get you in the door that you could not get past now. I think agents have seen their roles change radically.

WERNICK: In that respect, children’s books have gone the way of adult books. Because adult publishing hasn’t taken unsolicited work for forever. And children’s books have become more of a business. It used to be a quiet little sidebar. But then we started to make money and the corporations said, “Oh! Children’s books! Let’s pay attention!” So it’s become more of a business and it’s a tough business. It really is. And, as I said before, there’s enormous competition and it’s hard to get in the door.

VAIL: I’m trying to remember the person who described children’s book publishing as a bunny-eat-bunny world.

AUDIENCE: For anyone who has hasn’t had a book published yet, you can get books published in a bunny-eat-bunny world. I don’t want anyone to get discouraged. My question is about green trend, non-fiction books for kids, or even storybooks on the trend of recycling or helping the environment. What do you think about that?

VAIL: Such a big trend, are we seeing a lot of sales in that in children’s books?

“Since last year, Romance works for adults have really started to sell for kids. But ‘end-of-the-world’ type children’s books [also] started with the adult trend…. So teens are reading the adult, horrible, tragic books and now they want their own.”

—Kim Brown

BROWN: No. I think that there’s a certain niche market. We do promotions for Earth Day. We’ll sell earth-friendly gifts, we’ll sell some books, but they’re not huge. We’re seeing a lot more recycled paper being used, which we find encouraging. I think it has to start there. But we do a lot of proprietary books too, so I’ve seen the costs. And you know, it’s really a tough decision on what one should do. So we try to do as much as we can.

AUDIENCE: No, I mean more as a market for kids, because it’s such a trend in the society. A lot of people—parents and schools in particular—would be interested.

BROWN: Again, I think it’s a niche market and I think that schools and libraries are also promoting those books. Three Cups of Tea, I think, is a great success story. That book was a teen title as well.

VAIL: I have a follow-up question to what you just
said. How much does self-generated author publicity, going to bookstores and giving talks, going to schools, matter? Is that a big thing? Is that a big help? Having a blog, whatever else authors might do. Does that impact sales?

BROWN: It does for us. There are multiple online retailers and having the author connect to all of them really helps increase sales too. We see a lot of good publicity pushes when authors go into the schools. I think it just helps increase the awareness of the title for both parents and kids. So I think it’s very important that authors do as much as they can and do as much publicity online as they can. It makes a big difference.

DESIMINI: Going to schools is also really great feedback for an author, because we sit at home by ourselves and even though we all feel like we have a strong child inside of ourselves—that’s why we want to do this—I’m as inspired as the children are when I read at a school. I’m filled with ideas and I feel great about what I do.

VAIL: When I was a kid I thought all the writers were at least old if not dead. It never occurred to me that that’s something that a real person could do. I’ll share with you a story about Dav Pilkey, who wrote the very, very successful Captain Underpants books. He never intended to write those. He was doing a school visit and he would tell the kids that, when he was a kid, he would get in trouble in school because he was constantly doodling. And his favorite made-up character he named Captain Underpants. And the kids loved this story. It cracked them up. So he thought, “Huh, maybe I should harness Captain Underpants.” And he harnessed it right to the stars. So you really do get pretty great feedback. They’re not gonna jerk you around. If it’s funny, they’ll let you know, and if it’s not—they’ll let you know!

WERNICK: To that end, I think that having a website is absolutely mandatory. A blog is helpful and so is a Facebook page. In 2007, thirty-eight debut middle grade and YA authors banded together to create a website and they did a brochure and they did appearances to market themselves from one place, to the booksellers and the schools and the libraries. And it was so effective that there are now classes of 2008 and 2009. All debut novelists, because on their own, they couldn’t necessarily get the same attention. If all of you are in a group and you keep bringing all the people together, you get more attention. It spreads the word more effectively. Kids can go on the websites and then they contact their friends. The Internet is a massive force that cannot be ignored by either authors or publishers. In fact, publishers now have printouts, directions on how to use social media. It’s something that they encourage.

VAIL: And podcasts as well?

WERNICK: Yep.

AUDIENCE: I build websites for authors and filmmakers. But, you know, oftentimes authors come to me wanting to start their own publishing company, and they’ve never done the publishing side or they’re a filmmaker and want to get into books and so they’ve probably put a lot of money into this by the time they reach my door. My instinct is to say, “We’d like to start you at square one again, because we know you’ve put

“The person who made my Facebook page was 12. I updated my status to thank her and jokingly called her my new publicist. My editor immediately contacted me, through Facebook, and said, ‘Make sure your publicist is working through our publicity department so we don’t mess stuff up.’”

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VAIL: And podcasts as well?

WERNICK: Yep.
AUDIENCE: I’m interested in how to use Facebook, because it’s really supposed to be for ages 18 and up. Who do you reach out to on Facebook for books for young children?

VAIL: The person who made my Facebook page was twelve. I updated my status to thank her and jokingly called her my new publicist. My editor immediately contacted me, through Facebook, and said, “Make sure your publicist is working through our publicity department so we don’t mess stuff up.” And I said, “Well, she’s preparing for her bat mitzvah, so I don’t know, she might be very busy.” The kids are on Face-

“I had an author—to remain nameless—who was six months late with her book and on Facebook, she challenged me to a game of Scrabble. I believe ‘Write your effing book!’ was my response.”

—David Levithan

book. Don’t think it’s only eighteen and older. It’s people who are getting reacquainted with their high school and college friends, sure, but also the eighth-graders. Their presence online is incredible.

AUDIENCE: My nephew’s online. I see him all the time on Facebook. But I’m thinking, how do you reach out if you’re oriented to ages three to seven.

VAIL: To the parents. To the teachers, librarians. Librarians, I’ve heard, are out in force on Twitter!

LEVITHAN: I can’t think of anything more fascinating than reading a librarian’s Twitter.

WERNICK: It can help build buzz. I work with Mo Willems and one of his characters, The Pigeon, will be tweeting from ALA, The American Library Association convention next week. He hasn’t tweeted yet, but The Pigeon has 270 followers already. And these followers are, probably, all librarians. They are fans who will help create buzz through the library system. They’re rabid! They’re fabulous!

VAIL: They’re freedom fighters, they’re early adopters. Librarians are very important. They’re on Twitter, they’re on Facebook. I’m encouraged to hear that you find that it affects sales because sometimes I feel like I’m spending time on Facebook and my blog and thinking, “Am I talking to myself?”

LEVITHAN: And also the libraries themselves usually have, not just Facebook, but MySpace. It seems like a dead dog now, but it does have a huge, huge following. And most major libraries have MySpace pages and they will friend authors. The children’s room will have a MySpace page, the teen room will have a MySpace page. They’re using that as a portal to look and say, “Oh look who’s friends with us here.” You have to take down all the nude drinking pictures that would be up on your profile, but once you’ve done that, it’s safe to start friending the libraries.

WERNICK: Or you can switch so that only some people can see those photos.

VAIL: Don’t you feel that twelve-year-olds will know how to access that? My nine-year-old showed me how to add parental control filters. He said, “You might see some disgusting things on there, Mommy, I’ll show you how to put it on.” That’s the reason they call it Parental Controls, it’s so that they can control us. I always say to my fourteen-year-old—my nine-year-old is not on Facebook yet—you guys are there as a public person and if you wouldn’t want someone seeing you that way on Broadway, don’t put it on Facebook. And I think that’s a good rule of thumb. If you’re going to be on Facebook as a public person, it’s different than if you’re just friends with those people you went out drinking with every Thursday night in college. So, be aware that the ten-year-olds and the twelve-year-olds will be looking.

AUDIENCE: Okay, I Tweeted about coming here tonight, so I just thought you’d want to know that.

LEVITHAN: That’s how everybody else in the audience knew about it. That was you! These are your followers!

AUDIENCE: What I said was, “I’m going to this thing, What’s Hot, What’s Not,” and I said, “Oh man, I’m hope I’m hot!” I can’t wait to go home and see. I feel like I’m Tweeting into a vacuum, but we’ll see. So this is part of my question. As an author with some new books out, I am spending so much time on Twitter and Facebook and blogging and now I’m going to have to do MySpace. I need to be reassured that you guys are going to figure out what’s going to happen next. I have this vision that you go into the conference room and you put on your special hats and you say . . . No seriously, I’m asking, what are you guys doing to try to figure out what’s happening next so that we can just keep writing and Tweeting and Facebooking and
MySpacing? And you’ll also be figuring out about the platforms and the formats and the trends.

LEVITHAN: Yeah that’s a great question. I think we’re listening to our interns a lot and most of us think like sixteen-year-olds. I listen to the interns, yes. I personally think Twitter is kind of worthless. We’re jumping the shark with Twitter. I think Facebook is much more substantial and MySpace is. And I think honestly you have to choose your battles, because you could spend all day on all of these platforms and never write another word for a book again. I always say I had an author—to remain nameless, and who is not in the room—who was six months late with her book, and on Facebook, she challenged me to a game of Scrabble. I believe “Write your effing book!” was my response.

So I think you do have to be careful, and we are monitoring which things work, which things don’t. We can see what gets feedback. We are doing a lot of Web-based advertising. The great thing about Web-based advertising is, you can see where they click in from. So if we have a Hunger Games website and we put in ads on all these different sites, whether it’s a Twilight fansite or Seventeenmagazine.com, or MySpace, we can actually see how many people click that ad to go to the Hunger Games site. We can create this body of knowledge. And every publisher, I’m sure, is doing this. You can tell. As authors, you can tell the kind of feedback you are getting on Facebook and MySpace, and if it is meaningful or just random. And you have to act accordingly. I think what Marcia said was true, as far as issuing guidelines for working on social networking sites. I think we are very actively—“we” being editorial and publicity and marketing—looking at what is valuable and we will advise our authors as to where they should be and what they should be doing. Nine times out of ten authors do much more. Again, this goes to being at home all day, not talking to people. Social networking is a great way to talk to people. But I think usually there’s this initial burst of activity and then there is a pullback period where you say, “Okay wait. What am I doing? I’m actually a writer, I’m not a Tweeter.”

LEVITHAN: It’ll prevent early onset Alzheimer’s I believe, but for your writing, I don’t think it’s going to help very much.

WERNICK: And the best way to promote your backlist is with a new book.

AUDIENCE: But what are you guys doing? Do you have special people who are looking into this?

WERNICK: We are establishing contact with people. I just met with Amazon to see what the latest thing they’re doing with the Kindle is. Each of us has to be keeping track and sharing notes. And we talk a lot! About what’s going on. This is not something that all of a sudden is going to say, “Whap! Now we understand.” It is changing as we speak. We don’t know what it’s going to be. All we can do is be very aware of it, and be reading and finding out as much as we can. The publishers are gathering a lot of information using their websites, Facebook pages, advertising through—

“The industry is very tough but there are brilliant books coming out, from [novels] to picture books that . . . function for the child and entertain the adult who’s reading it as well. It is a stellar time for great books. Children’s books—they rock!”

—Marcia Wernick

out the website, and getting feedback. It’s immediate feedback and it’s fabulous. We have to be looking at the hardware, talking to the different companies about what they’re trying to do, and read between the lines.

AUDIENCE: You mentioned Amazon. I have a book on Amazon for which the hardcover comes up at $59 but the paperback does not show. I have spoken to my publisher—it’s an academic press—and they’re banging their heads against the wall, but nobody seems to be able to make a difference. They say it’s happening to a lot of books and that loses sales. Incidentally, it’s not a children’s book.

WERNICK: Well, you probably know more than I do. I know that things do get corrected, but sometimes it can take painfully long.

AUDIENCE: How do you do it?

LEVITHAN: There is a way for authors to contact Amazon. You click that button, “I am the author.” For that particular problem, it’s not solvable. When there are two versions of a book on Amazon, the one that has historically sold the most for Amazon appears first. There’s no way to circumvent that. We’ve had
problems where library-binding editions happen to be the primary one.

AUDIENCE: I have published several children’s picture books. I wrote one and illustrated it and I illustrated several others. This was about fifteen years ago. Now I’m trying to get back into the business. My agent is retired, so my question relates to finding an agent—who handles an illustrator slash author. I have a book ready to go if you want.

WERNICK: I handle everything in children’s books, from very young picture books to young adult authors.

LEVITHAN: The question was, basically, how do you find an agent for an illustrator or a writer? This is the usual time to plug SCBWI, the Society of Children’s Book Writers and Illustrators. Their website is scbwi.org. They are a huge, huge resource. The Writer’s Digest book also has listings.

WERNICK: I think SCBWI is the most active internationally. They have conferences all over. They have publishers, agents, always speaking.

LEVITHAN: They update their index of editors and publishers—it feels like—almost daily. So they are the most comprehensive resource, even more than the Writer’s Market or The Writer’s Handbook because they really update their site. If somebody switches a job, it’s up there.

AUDIENCE: This is a follow-up to what Marcia said. You said you handle all ages. So do you recommend that an author specify. This is a picture book or this is a YA book? Would that be helpful for you in that situation?

WERNICK: No, no, I think the author has to know exactly what they’re pitching.

VAIL: Yeah, and in a pitch you need to make it clear that this is the best thing you ever wrote, right?

WERNICK: Absolutely.

AUDIENCE: I wonder if we could end with one positive thing about the future of children’s books.

WERNICK: I think that the industry is very tough but there are brilliant books coming out, from The Hunger Games, a brilliant novel, to picture books that are so sophisticated, that function for the child and entertain the adult who’s reading it as well. It is a stellar time for great books. Children’s books—they rock!

LEVITHAN: I think technology is both the scary thing and the exciting part, and I think I hit the scary a little harder than the exciting earlier. What’s incredibly exciting is that we are going to have Alexandria. Kids will have every book out there at their fingertips—again, as an option. I do not think it’s going to replace bookstores, I don’t think it’s going to replace libraries, but as an option. Here in New York City, that’s not usually a problem. You can walk to Barnes & Noble, you can go over to the library, you can find just about any book. But I hear all the time from kids, especially teenagers, who can’t access the books that they need because they don’t have a credit card for an online retailer, or the best bookstore they have near them is a Walmart. So the notion that it is going to be the most democratic it has ever been is exciting. The fact that the way of getting your words out is going to be so much easier, that is exciting. The freedom that that enables…

“I'm trying another writing course and experimenting even more with my artwork and illustrations. Just pushing things and trying new things and getting back to what I love.”

—Lisa Desimini

In a digital world, at least I like to think, the whole concept of a banned book goes away. You can’t pull a digital book off a shelf for everybody. There are always access points. So I think the possibilities and the role that words and writing can have in our society and in reaching every member of our society, that’s amazing. As scared as I am about losing some paper books and the fact that we are going to have to muddle through this together, as Marcia said, we’re all on the same side. It’s been amazing to see the retailers, the publishers, the authors, the agents, the librarians, everybody involved. Our goal is always to get books into the hands of readers. To sell books to those readers and to support our authors. And I think everybody is working in tandem in a way that was absolutely not the case in the music industry. I think we are going to have a much better transition, and what will come out of it is a stronger industry, more options, and again, this
amazing freedom of writing that has never existed before. So that’s the exciting part for me and that is worth the scary.

DESIMINI: My head has been spinning from the economy and from changes in technology. So I’m taking another writing course and experimenting even more with my artwork and illustrations. Just pushing things and trying new things and getting back to what I love and staying connected to getting better and opening up more and more. It’s so exciting to feel like I’m a professional, yet also a little bit of a student again, just trying to get better at both my crafts.

BROWN: I guess I would say that the demographics are in our favor. There’s a whole lot of kids coming up and we’re going to be able to introduce them to reading and it’s exciting. All of us in this room do good work, and it’s fun.

VAIL: I’ll just say that it’s pretty exciting on a beautiful night like this when you all could have been sitting at a café sipping a glass of wine, you’re here, and you’re passionate about what you do. So that means good work is coming out in the next couple of years because passion is the starting point. Also, we had a panel like this a year and a half ago and it was so interesting. I just reread the transcript, which is full of information. If you want to read it, you can get it through the Author’s Guild website. And you’re going to want this one as well.

Things are changing so fast that I think in about eighteen months, we’ll have to do it again. Thank you so much for coming.

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The Red Phone Box that has Become Britain’s Smallest Library

Cunning villagers have found a novel way to cope with the shortage of libraries in their area by turning an old red phone box into a book exchange.

The former BT phone kiosk has been transformed from a telephone exchange to Britain’s smallest library by cunning residents and now stocks around 100 titles.

Villagers rallied together to set up the book box after their mobile library service was cancelled.

The parish council purchased the box, a Giles Gilbert Scott K6 design, for £1, and residents in the Somerset village of Westbury-sub-Mendip put up wooden shelves inside and donated their own books.

The phone box now houses titles from cooking books to the classics and blockbusters to children’s books.

“It has really taken off,” Parish councillor Bob Dolby told The Guardian.

“Turnover is rapid and there’s a good range of books, everything from reference books to biographies and blockbusters.”

Meanwhile resident Angela Buchanan was also full of praise for the book box.

“It’s such a brilliant idea,” she said. “Our nearest library is Wells, four miles away, so if you don’t want to go into the town but have run out of something to read, it’s great you can use this.”

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“All sorts of interesting books turn up—manuscripts, picture books, good literary novels.”

The phone box library is open every day for 24 hours and is lit at night. There is a regular check on it to see if some titles are not moving. These are then shipped on to a charity shop to keep the phone box collection fresh.

BT has received 770 applications for communities to “adopt a kiosk” and so far 350 old boxes have been handed to parish councils.
Along Publishers Row
Continued from page 2

There are now 2,500 words for the word “drunk.” How do you choose one?

Pamela Monroe, a UCLA linguistics professor, said that people who learn slang secondhand tend to use it incorrectly. “I feel that your grandmother would have a real hard time sounding like Lil Wayne,” she said.

REWRITE: Ernest Hemingway’s posthumous memoir, A Moveable Feast, came out in a new edition in August. The editor this time is Seth Hemingway, a grandson of Hemingway and his second wife, Pauline Pfeiffer.

The New York Times said that this “restored edition” adds passages from the manuscript “that Sean believes paint his grandmother in a more sympathetic light.”

Hemingway, 42, said, “I think this edition is right to set the record straight.”

The news was followed by an op-ed page essay by Ernest Hemingway’s friend and biographer A. E. Hotchner, who commented: “All publishers, Scribner included, are guardians of books that authors entrust to them. Someone who inherits an author’s copyright is not entitled to amend his work.”

TEARS WANTED: Ring Lardner, famous for his humor, once quipped: “How can you write if you can’t cry?”

GREAT EXPECTATIONS: A TV narrator on NBC’s Today show referred to Dan Brown as “the rock star of fiction writers.” And that was just a fraction of the hysterical hype leading up to the publication of The Lost Symbol on September 16.

The guards at the printing plant were shown keeping potential thieves at bay while the five million advance copies rolled from the presses.

The Lost Symbol was going to save publishers and booksellers, suffering from the economic downturn, everywhere. It was declared “a global financial stimulus.”

Amazon’s chief, Jeffrey P. Bezos, told Web-page viewers the book was “one of the most anticipated publishing events of all time.”

On the big day, Dan Brown himself appeared in “a rare, exclusive interview” on the Today show. It had been filmed in his home in a booklined room (complete with a secret passage) that looked like a movie set.

Brown told interviewer Matt Lauer that he began his research on Symbol by taking tourist bus tours in Washington, D.C. He then constructed a 200-page outline. He said that he wrote his first book when he was five years old, dictating it to his mother. He did the illustrations for that book himself.

Brown explained that when he finds himself with a plot problem, he hangs upside down in gravity boots to find an answer. And “I spend my life now with a lot of imaginary friends.”

On its first day out, Symbol sold more than one million copies in hardcover and e-books. It was “the best-selling adult fiction title” ever and went straight to the top of the bestseller lists.

QUICK READ: “History’s shortest book would have to be Elbert Hubbard’s Essay on Silence, which has no words.” That gem comes from The Literary Life and Other Curiosities, by Robert Hendrickson.

READER: Novelist Larry McMurtry was interviewed for the Rice University magazine. He said he hopes he doesn’t have to write more fiction. “Eventually all novelists get worse,” McMurtry said. “Writing great fiction involves some combination of energy and imagination that cannot be energized or realized forever.”

FULL PEDAL: Jonathan Lethem’s new novel is Chronic City. In an interview with New York magazine, he said, “I put both pedals to the floor at the same time, which is my signature and maybe my folly.”

Later, he added, “I always think, Do the thing that only I can do. And I don’t mean this in any boastful sense, but as a descriptive word: It’s the most unprecedented work I’ve ever done.”

In the full-page photo, the author has the dark intensity of the young J. D. Salinger.

ATTACK: Alice Hoffman’s latest novel, The Story Sisters, was reviewed in The Boston Globe by a freelance critic, Roberta Silman. Hoffman didn’t like the review and posted her reaction on Twitter, where she called Silman a moron and asked, “How do some people get to review books? And give the plot away.” Hoffman posted Silman’s phone number and e-mail address and asked fans to “Tell her what u think of snarky critics.”

A day later Hoffman deleted her complaint and provided a statement via her publisher that included: “Of course, I was dismayed by Roberta Silman’s review, which gave away the plot of the novel, and in the heat of the moment I responded strongly and I wish I hadn’t. I’m sorry if I offended anyone. Reviewers are entitled to their opinions, and that’s the name of the game in publishing. I hope my readers understand that I didn’t mean to hurt anyone, and I’m truly sorry if I did.”

LAST LAUGH: David Sedaris’s current best-selling paperback is When You Are Engulfed in Flames. If you believe that humor doesn’t pay, con-
Sider this: PW said his books have sold more than four million copies and been translated into 22 languages.

SHE SAID: Jimmy Santiago Boca is a poet and author of a memoir (A Place to Stand) and a short story collection. His first novel will be published in October. The title is A Glass of Water.

Boca wrote in PW that he had to find a woman’s voice “and that wasn’t easy. I rewrote the opening scene dozens of times until she came alive; eventually, I discovered that she was distinct, vigorously present, a person outside of myself who broke away from my imagination’s umbilical cord and became a real person. Naturally, this changed the entire plot I had been working through all those years—she drove the story and I followed.”

HE SAID: Evie Wyld’s After the Fire, a Still Small Voice is written from a male perspective, and PW asked Wyld why.

She explained: “From quite a young age, when I started writing, I’ve always leaned toward a more masculine voice. It was quite a nice thing to do to sit at my desk and have to physically imagine myself as a man and sort of stomp around the flat a bit. It’s a nice mask to put on. It’s just different, writing as a woman—you don’t think about the physicality as much when you’re writing as the opposite sex. You can also really mess up. Quite often you’ll come across some not-so-good writing done by men about being a woman, and about those lines about your breasts and your bra, and that throws you a bit.”

ADVICE: Atul Gawande is a surgeon in Boston who writes articles about medicine for The New Yorker. In Harvard Magazine, he is quoted from a commencement speech. He told the graduates to write: “By putting your writing out to an audience, even a small one, you connect yourself to something larger than yourself. . . . An audience is a community. The published word is a declaration of membership in that community, and also of concern to contribute something meaningful to it.”

BIG CLUE: Mary Roberts Rinehart, a mistress of the genre, observed: “The mystery story is two stories in one: the story of what happened and the story of what appeared to happen.”

NO SEER: Dorothy L. Sayers, a British mystery writer in the 1920s and ’30s, created a detective named Lord Peter Wimsey. She died in 1957. She was once quoted as saying, “There certainly does seem a possibility that the detective story will come to an end, simply because the public will have learnt all the tricks.”

So far, the good ones keep coming up with new tricks.

E-BOOK THEFT: Randall Stross is an author and professor of business at San Jose State University. In an article for the business section of The New York Times, he wrote, “The book industry has not received cheery news for a while. This year, sales of hardcover books in July were down 15.5 percent from last year.”

His article asked, Will Books Be Napsterized? “E-books won’t stay on the periphery of book publishing much longer,” he predicts, and e-books are being pirated at RapidShare, Megaupload, Hotfile and other file-storage sites. Adam Rothberg of Simon & Schuster was quoted: “Everybody in the industry considers piracy a significant issue, but it’s been difficult to quantify the magnitude of the problem. We know people post things but we don’t know how many people take them.”

Katharina Scheid, spokeswoman for RapidShare, told publishers that if they are unhappy that her company’s users are distributing e-books without paying the copyright holders, they should learn from the band Nine Inch Nails. That musical group markets itself “by giving away most of their content for free.” Stross commented, “I will forward the suggestion along, as soon as authors can pack arenas full and pirated e-books can serve as concert fliers.”

BUSY: Terry Goodkind’s latest is the best-selling The Law of Nines. During the past 15 years, his 11 Sword of Truth novels have sold more than 25 million copies in 20 languages. PW said he also is a wildlife artist and a cabinetmaker, and has done restoration work on rare artifacts and built a house in Maine.

TRANSITION: Attica Locke’s first novel, Black Water Rising, turned out to be a different—and perhaps better—book than the author planned. “I intended to just write a slick little thriller,” Locke told The New York Times, “but then my unconscious led me to the soul of the book, and it got a lot better.” The locale is Houston, Texas.

The book replaces the paranoia of the cold war that used to occupy thrillers with the paranoia of race relations.

Locke said, “I think this book could only be written by someone my age. It’s about a country in transition, moving from being a segregated America to an integrated America. If you think about it, there have been three great moments in the psychic history of race relations here. The first was Emancipation and Reconstruction. The second was the civil rights movement. And the third great moment we’re living in right now.”

VAMPIRES PLUS: PW noted the current popularity of vampire and
other paranormal novels, and said that despite the tough economy, they continue to sell—and they have become more erotic. “The demand for a blend of sex, romance and the paranormal continues to find eager readers with nearly every incarnation of the supernatural the authors invoke, not just vampires.”

SHORT STORIES TOO: Jeffery Deaver’s paperback bestseller is The Body Left Behind. PW said he has published 22 novels, but he also “knows a thing or two about the short story. He’s the editor of The Best American Mystery Stories of 2009,” out in October.

Deaver has published two collections of his own and more than 30 of his stories have been anthologized.

SEQUEL: Vikram Seth is writing a sequel to his best-selling A Suitable Boy, published in 1993. The title will be A Suitable Girl and it is slated for 2013 publication. Seth told Reuters, “I suddenly got the idea not of taking up the story in 1952, where I had left it, but rather to take it up in the present. That allows me in a sense to bring a whole lot of post-independence history to bear on the novel. It allowed me to live in the present.”

BANNED: A federal judge ruled in favor of J. D. Salinger and banned the publication in the U.S. of 60 Years Later: Coming Through the Rye. The author is a Swede, Fredrik Colting, writing under the name John David California. The book has been published in Britain, but the U.S. judge found that the new novel hewed too closely to its inspiration, The Catcher in the Rye. [Summer/Fall 2009 Bulletin]

Colting told The New York Times in an e-mail message, “I am pretty blown away by the judge’s decision. Call me an ignorant Swede, but the last thing I thought possible in the U.S. was that you banned books.” Colting said he would appeal.

NEW PROJECT: James Frey became a notorious victim of Oprah’s ire when he was accused of creating fictional details in his memoir (A Million Little Pieces), which she had praised on TV. Now the author has been signed up for a series of young adult novels. The New York Times said, however, that most of the writing will be done by Jobie Hughes, a recent graduate of the creative writing program at Columbia University. The first book is about a group of alien teenagers who hide out on earth after their planet is attacked. DreamWorks Studios has already bought the screen rights.

RIP-OFF: Poor Jane Austen. Seth Grahame-Smith’s Pride and Prejudice and Zombies made money so Austen gets trashed again in September with Ben H. Winters’s Sense and Sensibility and Sea Monsters. Jason Rekulak, a Quirk Books editor, told PW that the book was inspired by “Jules Verne novels to Lost to Jaws to SpongeBob SquarePants.”

NOTED: SharedBook is the publisher of Nurture Shock: New Thinking About Children by Po Bronson and Ashley Merryman. Twelvebooks.com, the website of the publisher, invited readers to highlight a word, a sentence or a paragraph and add notes that will be included as footnotes on the text.

Jonathan Karp, publisher and editor, told The New York Times, “We thought this would be a great way to go deep into the text and literally argue with it sentence by sentence, collectively.” SharedBook will incorporate the footnotes with the three chapters into a supplement that readers can buy for $2.95.

DISMISSED: In 2006, Donald Trump sued author Timothy L. O’Brien for $5 million after he wrote in Trump Nation: The Art of Being the Donald that Trump’s fortune was only $150 million to $250 million. Trump said that he had $5 billion. A New Jersey judge ruled that Trump had not demonstrated “clear and convincing evidence to establish malice.” The suit was dismissed in July. O’Brien is now editor of The New York Times Sunday business section.

BIG E-STORE: Barnes & Noble is offering more than 700,000 books that can be read on Apple’s iPhone, the BlackBerry and various laptop or desktop computers. The New York Times reported that more than 500,00 of the books now offered electronically on BN.com can be downloaded free.

A further one million books can be ordered from BN.com in the print-on-demand format.

Amazon.com offers about 330,000 titles for its Kindle device.

BULL’S-EYE: “In publishing circles Target has long been known as a place that can move many copies of discounted bestsellers,” according to The New York Times. “Through its book club, as well as a program it calls Bookmarked Breakout...the company has highlighted largely unknown writers, helping their books find their way into shopping carts filled with paper towels, cereal and shampoo.”

Target carries about 2,500 titles in each of its 1,700 stores. These include diet books, children’s picture books, young-adult novels and romances.

Jacqueline Updike, director of adult sales at Random House, told the Times that Target “can sell hundreds of thousands of copies of a book that is virtually unknown in the rest of the marketplace.” The books are chosen by a panel of Target employees who meet monthly to review submissions from publishers.

Sarah’s Key, a novel by Tatiana de Rosney, sold only 2,000 copies. Then Target got a special edition
from St. Martin's Press and sold 145,000 copies. The ordinary paperback edition sold 200,000 copies.

FOR KIDS: Years after his death, the Mexican painter Diego Rivera has illustrated a children’s book. The pictures come from 13 of his paintings and murals that feature children. The bilingual text is by his last surviving child, Guadalupe Rivera Marin, and the title is *My Papa Diego and Me/ Mi Papa Diego y yo.*

MYSTERY: Deepak Chopra has written more than 50 books, including many bestsellers. His latest, *Reinventing the Body, Resurrecting the Soul,* was published in October.

As part of a special PW section on health books, Chopra wrote: “A clue on why I write came on the day when I walked into the room where students need a cadaver for the first time. My scalpel incised a thin line in the parchment-yellow skin, cutting from the breastbone down to the belly, and in one stroke the mystery of the human body was revealed. Yet another mystery was destroyed at the same time. The sacredness of the body disappeared as organs and tissues came to life. My entire writing career has been an attempt to regain that mystery—not for the sake of its beauty or inspiration but to be useful, to heal and to open a new vision of what lies behind the mark of materialism.”


His latest novel is *Imperial,* which is 1,300 pages long and costs $55. *The New York Times* said that his editors asked him to cut his manuscript, but he resisted. He said, “We always go round and round. They want me to cut, and I argue, so they cut my royalties, and I agree never to write a long book again.”

He admitted that the length of the book might cost him readers and said, “I don’t care. It seems like the important thing in life is pleasing ourselves. The world doesn’t owe me a living, and if the world doesn’t want to buy my books, that’s my problem.”

JOKER: Comedian Richard Belzer has written (with Michael Black) his second crime novel about a New York police detective named Richard Belzer. Belzer plays a detective in a Law & Order TV series. The title of the book is *I Am Not a Psychic!*

Belzer told PW, “Just being around all these stories from cops while playing Munch (the name of his TV character) and being a fan of Dashiell Hammett and Raymond Chandler, the idea of a mystery-comedy hybrid seemed right up my alley.”

Asked if his books might be adapted for TV, the comic said, “They have been optioned for TV.” And who will play Richard Belzer? “Don Cheadle could play me, but I hope they just go with the obvious casting choice.”

SHIFT: Chick lit is growing up and becoming “hen lit.” These are novels written for women over 40 who are facing up to the current economic recession. The pursuit of Gucci is gone.

Jonathan Segura, a deputy editor at *Publishers Weekly,* told *The New York Times,* “It would be impossible to write contemporary glitzy women’s fiction without taking the recession into account.” He added, “By next spring, publishing will have fully caught up. And by summer, you’re going to see a flood of new fiction dealing specifically with the big meltdown.”

ACCUSATION: Jordan Scott was a teenager when she wrote a little-noted novel called *The Nocturne* in 2006. Now she is claiming that her version of a vampire romance was plagiarized by Stephenie Meyer in her best-selling *Twilight* series.

Meyer’s publisher called the accusations “meritless,” according to Reuters. Hachette said that Meyers didn’t know about *The Nocturne* and that *The Twilight Saga* is her work entirely.

GREENE FAN: Nick McDonell published his first novel, *Twelve,* when he was 18. His third novel, *An Expensive Education,* was published in August.

The author, who is now 25, told *The New York Times* that Graham Greene was a model for him—not just Greene the novelist but Greene the traveler and observer. “I don’t think writing is the be-all and end-all,” McDonell said. “I don’t know exactly what I’m going to do next, but I have ideas about where I want to go and what I want to see. I like being out there. I like the long reach.”

SPOTO’S MOTTO: Donald Spoto is the author of many biographies. The latest is *High Society: The Life of Grace Kelly.*

Spoto told PW, “The years have not been kind to Grace. We live in mean-spirited times, and there is a tendency among some writers to fabricate reasons to destroy reputations. I have a motto: ‘The biographer is obliged to tell the truth—even at the risk of saying something good about someone.’ Sometimes this has made me unfashionable to some critics, but I can sleep at night.”

A Meditation on Happily Ever After. Or, she added, the book is about “everything. What I discovered is that writing about nothing, I was writing about everything.”

The book is described as “small epiphanies of everyday life: taking a trip to Trader Joe’s on her 44th birthday, waiting in the car-pool line at her nine-year-old son’s school and spending thousands of dollars to buy a mattress that both she and her husband of nearly two decades can tolerate.”

Motoko Rich of the Times staff seemed to think it remarkable that this memoir wasn’t about “divorce, death or abuse. . . . Nor does [the author] write of recovery from cancer, drug addiction or even a miserable childhood.”

But humorous memoirs have been a publishing staple since Mark Twain picked up his pen, or maybe we should salute Francois Rabelais, who wrote Pantagruel in 1532.

TRAVELING MATE: Richard Russo’s latest novel is That Old Cape Magic. It’s a bestseller, and the author toured the Northeast promoting it. His wife was with him on the tour, and he told Steve Inskeep on NPR, “My wife really wanted to go on this particular book tour to assure people that I was not writing about our marriage.”

ANOTHER DOCTOR: Sanja Gupta is a neurosurgeon, often seen on CNN as its chief medical correspondent. His book is entitled Cheating Death.

PW asked Gupta which was better: People magazine naming him among the sexiest men alive in 2003, or getting the Journalist of the Year Award from the Atlanta Press Club in 2004.

Gupta replied, “Journalist of the Year was better, for sure. My wife was really giggling at the sexiest man alive thing. No one thought I was sexy until I was on TV.”

In Memoriam
Marcelle Michelin Alsop
Jim Carroll
Catherine Gaskin Cornberg
Melvin Daskal
Dominick Dunne
Elizabeth Fernea
Thomas Froneck
Richard Hall
Peter Huchthausen
Beverly Jacobson
John Keel
Ken Macrorie
Norma Fox Mazer
Milton Meltzer
Wayne Myers
Budd Schulberg
Leonard Shlain
Lisa Swazey
Nancy Wechsler
Rynn Williams
Sarah Wright

CO-WORKERS: W.E.B. Griffin has written more than 40 novels. PW said, with some 45 million books in print in more than 10 languages. William Butterworth IV is his son, and he has worked as an editor and writer for 25 years. The two men share cover billing on Griffin’s latest bestseller, The Traffickers.

TRAVEL BOOK: Nobel Prize winner Jose Saramago’s new novel, The Elephant’s Journey, will be published in fall 2010. The publisher told The New York Times that the novel was “based on the real-life epic journey of an Indian elephant from Lisbon to Vienna in the 16th century.”

NEW VERSION: Marty Appel wrote an “autobiography” of Yankee catcher Thurman Munson 31 years ago. Munson died in the crash of a private jet 30 years ago. Appel told The New York Times, “It was Thurman’s book. He was free to leave out whatever he wanted. He never said, ‘I’m not going there,’ but my questions weren’t Mike Wallace-like either, because I was cooperating with him and telling the story he wanted to.”

Appel’s new biography is Munson: The Life and Death of a Yankee Captain. The author interviewed Thurman’s brother and sister, who described the grumpy baseball star’s dysfunctional childhood. Appel said that he didn’t believe he had betrayed Munson. “I think he’d come to recognize that his story was an example to people that you can break the cycle, that you can live a wonderful family life even if everything in your background says you can’t.”

WAR SELLS: War and military history books sell. PW said “the most obvious reason . . . might simply be the sheer number of Americans who are associated with the military.

“According to the Department of Defense, the number of people serving in the U.S. armed forces stood at 1,402,227 as of December 31, 2002. The Department of Veterans Affairs lists the number of living veterans at 23,442,000. Add family members and friends of current or retired military personnel, and it’s no wonder publishers find a market for their titles.”

THREATS: Ronald Kessler has done a lot of talk radio to promote his In the President’s Secret Service. One of the most discussed facts, PW said, was that threats against the president have risen 400 percent since Obama took office. All the talk radio must have paid off—the book is a nonfiction bestseller.

PRETTY IS A PLUS: The Writer had an article entitled “Hot Shots: The Marketing of an Author’s Image.”

An editor at HarperCollins said that attractive authors “get a little bit of an advantage.”

Sharon Steel is quoted from The
Boston Phoenix: “The publishing industry has made a point of effectively court ing good-looking male authors.”

Salon.com’s Rebecca Traiser interviewed young author Benjamin Kunkel and wrote, “Kunkel, dressed in a dark suit jacket and white shirt, has a small frame and a handsome face—covered with downy blond beard and moustache. When I arrived at the restaurant, he was drinking single-male Laphroaig Scotch.”


A MYSTERY, A JOY: Verlyn Klinkenborg writes about nature on his farm (and just about anything else) on the editorial page of The New York Times. In August he wrote about his search for the right book to read at the end of summer. He said, “It might be a big book—like William T. Vollmann’s Imperial or Nabokov’s Ada. Or it might be a small book—perhaps a stack of small books, like the novels of Ross Macdonald. But I know that what I want it to do is distract me and, at the same time, free me from distraction.”

Later he describes the book he is looking for as “a vortex. When I lower my eyes to it, I’m sucked deep into a place more plausible than the one that surrounds me. When I look up, I want the actual life around me to look strange and original, like a brand new page in a pop-up world.” With the right book, he said, “The traces of uncertainty vanish. So, somehow does the ink on the page, and I realize that I’m looking through the book as if it were translucent. This remains, after a lifetime of reading, a mystery and a joy.”

FOR CHILDREN: The late Roald Dahl wrote for a publisher’s pamphlet (which was quoted in The Writer): “The prime function of the children’s book writer is to write a book that is so absorbing, exciting, funny, fast and beautiful that the child will fall in love with it. And that first love affair between the young child and the young book will lead hopefully to other loves for other books and when that happens the battle is probably won. The child will have found a crock of gold. He will also have gained something that will help to carry him most marvelously through the tangles of his later years.”

TITLE: Jacob M. Appel teaches at the Gotham Writers’ Workshop in Manhattan. He wrote an article in Writer’s Digest on how to get a perfect title for your fiction.

“I tell my students to approach naming a story as they do seeking a mate... I suggest making a list of at least five different titles before deciding on one. There’s also much to be said for asking family and friends which title they prefer.”

CONFESION: In an unpublished memoir that the late William Golding wrote for his wife, the author said that he had tried to rape a 15-year-old girl when he was a young man. Golding won the Nobel in Literature in 1983.

The account of the incident was discovered by John Carey, chief book reviewer of The Sunday Times of London. Carey found the information when he was researching a forthcoming bio: William Golding: The Man Who Wrote Lord of the Flies.

TOP EDITOR: “Kate Duffy never cared much for demure English governesses, shy young nurses or women in bodices, ripped or otherwise... So Ms. Duffy simply changed the rules, helping to usher into print a new kind of romance novel featuring strong, capable women, contemporary settings and bracing sex scenes unfettered by Victorian euphemism.”

Duffy, who died at 56 in September, “was by all accounts one of the prime movers behind the explosion of romance publishing in the late 1970s and early ‘80s.”

The editor, who worked at several publishing houses, was quoted in The New York Times obituary: “I love romance novels because they’re entertaining, they’re informative and they make pots of money for my publishing house.”

IN RESIDENCE: Alain de Botton is author of How Proust Can Change Your Life and The Art of Travel. He spent a week last August seated at a desk in the middle of London’s Heathrow Airport. His typing appeared on a screen behind him and a placard explained that he was Heathrow’s “writer in residence.”

De Botton interviewed passengers, baggage handlers, airline executives and others. The plan was to turn his findings into a book, A Week at the Airport: A Heathrow Diary, scheduled for a quick publication in September.

Why was Heathrow paying de Botton to write this book? An airport spokesman told The New York Times, “If we funded a brochure that said how wonderful the airport was, people would switch off because they’d think they’re being marketed to.”

De Botton said, “If I find a cockroach in the restaurant, if someone drops dead at the airport, I’m going to write about it...” No matter what the author observed at the busy terminal, the plan was to distribute the book free to 10,000 Heathrow travelers.

OH: In a column labeled “Humor” in Writer’s Digest, Bob Woodiwiss quotes an imagined literary agent on what that agent really wants.

Brandon M., superagent, said, “What am I looking for? Well, the short answer is I’m looking for
authors who aren’t you. It’s true I’ve never met you, never read a word you’ve written, but believe me: I’m Not. Looking. For You. How can I be sure? Because you are looking for me. And if I’ve learned anything in 20-plus years in this business, it’s that nothing interests an agent less than an agentless writer.”

MESSY ART: Literary scholar and critic Richard Poirier died in August at the age of 83 (See Deaths, page 44.) The Rutgers professor helped create the Library of America, but he once wrote that “works of art are not required to exist. There is nothing outside of them that requires their existence. If Shakespeare had never existed we would not miss his works, for there would be nothing missing.”

But Poirier believed that literature mattered enormously, because, at its most potent, it insisted that we not take ourselves or our words for granted. Poirier was quoted in The New York Times, “We ought to be grateful to language for making life messier than ever.”

Poirier often quoted Wallace Stevens, the poet: “Speech is not dirty silence/Clarified. It is silence made still dirtier.”

GIFT: The papers of Octavia E. Butler, a science fiction writer who died in 2006, went to the Huntington Library in San Marino, Calif. Butler won two Hugo Awards, two Nebula Awards and the first MacArthur genius grant given to a science fiction writer.

The library has 39 cartons and eight file-cabinet drawers containing manuscripts, correspondence, school papers, notebooks, holographs and other materials. Butler’s best-known novel was Kindred. She once wrote, “My writing can be a kind of therapy for me.”

BIG DEAL: The New York Times breathlessly reported, “If over the next few months you see smoke coming from the direction of James Patterson’s house, it might be a result of the author’s burning off his fingertips as he types . . .” The Hachette Book Group announced that it had signed a deal with Mr. Patterson that would cover 17 books.” The contract covers books through 2012.

RESEARCH: Authors Michael and Elizabeth Norman spent 10 years traveling to Japan, the Philippines and around the United States to write Tears in the Darkness: The Story of the Batan Death March and Its Aftermath. They interviewed more than 400 people and collected 2,800 books, documents and other sources.

Senior editor Paul Elie at Farrar, Straus and Giroux, told PW, “Michael Norman is a reporter by training and what they’ve done is different from historical research. . . . They report this story as if it happened yesterday.”

The book was a nonfiction bestseller.

SOURCE BOOK: To write Everything I Need to Know I Learned from a Children’s Book, author Anita Silvey asked 100 people to answer the question: “What children’s book changed the way you see the world?”

PW quoted from Maurice Sendak’s reply: “Crockett Johnson’s Harold and the Purple Crayon is just immense fun. Harold does exactly as he pleases. . . . Books shouldn’t teach. They shouldn’t give lessons. Kids should feel that they can do what they want and no one will punish them. They can just be kids and enjoy reading and looking at a book.”

PROMOTION: A serialized version of Transition, a novel by Iain M. Banks, was released the day before the hardcover publication in September. The abridgment was divided into 23 episodes, available Tuesdays and Fridays for 12 weeks. This was a free podcast with a total running time of six and a half hours. According to The New York Times, the hope was “that listeners become so enamored with what they hear that they will pay for more.” Hardcover and e-book editions were advertised at the end of each podcast.

SHEEHAN’S NEW ONE: Neil Sheehan’s A Bright Shining Lie won both the Pulitzer and the National Book Award in 1989. His new book is A Fiery Peace in a Cold War, a history of the arms race.

Sheehan told Charles McGrath of The New York Times, “I’m a slow researcher and a slower writer. I’ve never been able to use a research assistant. If I don’t do my own reporting, I don’t get a feel for the subject. You miss insights that way. You need the detail. When you write, it takes a lot of mash to make good whiskey, or that’s what they say.”

Later, Sheehan added, “When you write a book about a major subject, it’s like getting another university education.”

PET POWER: A PW cover story entitled “Publishing’s Best Friend” had the subtitle: “Pets of all stripes inspire reader loyalty and a steady stream of books.”

The article began: “A furry friend’s work is never done—just ask Marley and Dewey. First, each starred in a heartwarming memoir . . . which had major runs on national bestseller lists. Then both properties spun off children’s books, followed by movies. It’s not surprising that those wildly successful titles continue to inspire an entire genre of pet memoirs.”

Houghton Mifflin Harcourt executive editor Susan Canavan said, “I find [readers of books about dogs] a discerning audience with little tolerance for mediocrity. Elegant, original prose is a must.”
She added, “A manuscript must capture an animal/human bond in a fresh and memorable way.” And later, “There is a real art to entering [an animal’s] world convincingly. And it’s essential to the success of the book.”

SELF-CRITIC: Lorrie Moore’s new novel, A Gate at the Stairs, hit the bestseller list. The New York Times reported that the book got “some of the most extravagantly positive reviews of any work of fiction published this year.” Last year, an article about Moore in the London Guardian quoted the author as saying about her work, “Too many birds and moons.”

TECH: Aptara, a developer of content conversion systems, is working with iPhone to transform books into interactive e-book material for the iPhone.

DOG GUARDS: Nicholas Sparks’s latest novel, The Last Song, is a bestseller. The New York Post reported that the author “has sold so many books he worries about the safety of his wife and children. So he has two German shepherds, Rex and Laura, who have been trained from puppyhood as guard dogs.”

Sparks told a friend that the dogs are so well-trained that if he says, "'Attend,' they’ll hold any intruder at bay without biting."

IN THE LIONS’ DEN: Jon Krakauer went to West Point to read from his new book, Where Men Win Glory, and sign copies. The book is about Pat Tillman, the former pro football player who joined the infantry and was killed in Afghanistan. Krakauer was uncertain about his reception because the book is about the Army’s cover-up of the fact that Tillman died from friendly fire. Krakauer told The New York Times, “This kind of deceit is endemic in the military and goes to the highest levels of government.”

The Times reporter observed: “The officers, to their credit, seemed attentive, and the questions were good. One suggested that the problem might be that the military, like so many American institutions, had become wedded to a certain perception of success.”

IN LOVE: Philippa Gregory is the author of The White Queen. She was quoted on barnesandnoble.com: “Although some people think I am a romantic novelist I have always thought of myself as a rather gritty radical historian. For instance, I have never believed that there is only one person for each person in the world. It doesn’t make the least sense to me. However, in reality, I fell in love at 45 and I am absolutely certain that my now husband is the only man in the world for me, a truth I find both ridiculous and uplifting.”

DIARIES: Former President Jimmy Carter’s diaries will be published in October of next year with comments added from the vantage point of 30 years later. The diaries contain about 5,000 pages and cover the years from 1977 to 1981. The book is expected to be about 512 pages and will include photographs.

SAD SUCCESS: Author Stieg Larsson died in 2004 but his trilogy, the Millennium Series, has just been published. The Girl with the Dragon Tattoo and The Girl Who Played with Fire were international bestsellers. Knopf will publish the third, The Girl Who Kicked the Hornet’s Nest, in 2010. PW said more than 12 million copies have been sold worldwide. Larsson was the second best-selling author in the world in 2008. According to AbeBooks’ staff blog, Khaled Hosseini (The Kite Runner) was first.

EXHIBIT: “Double Dutch” was the title of an exhibition presented by the Hudson Valley Center for Contemporary Art this fall in Peekskill, N.Y. Among the works was Sanctuary by Dutch artist Job Koelewijn. It was a life-size gas station (pumps and roof) made from more than 3,000 books from the artist’s library. The New York Times asked if such a work of art invited “us to reflect on what it is that fuels the world: Is it oil, or is it ideas, specifically the distilled wisdom that books have historically possessed?”

TV MAN: Glenn Beck has a daily TV show that stirs controversy. It also sells books. His Common Sense is a best-selling paperback with 1.75 million copies in print. Arguing with Idiots came out in September with a 1.68 million first printing. The Christmas Sweater, a picture book, was published in October.

FASTER, FASTER: Tina Brown thinks publishing is too slow. The former editor of The New Yorker and biographer of Princess Diana now heads an online magazine called The Daily Beast. She is joining with Perseus Books Group to form a new imprint, Beast Books. It will publish titles first as e-books and then as paperbacks. She expects writers to turn out a manuscript in three months. Then Beast Books will need just one month to produce the e-book edition.

Brown told The New York Times, “There is a real window of interest when people want to know something. And that window slams shut pretty quickly in the media cycle.”

Writers will receive low five-figure advances from Perseus, then split profits from the sale of both the e-books and paperbacks with Perseus and The Daily Beast. David Steinberger, chief executive of Perseus, said authors would receive “meaningfully more” than the typi-
cal 15 percent of the hardcover price that authors currently receive as royalties.

The imprint’s first book is scheduled to come out as an e-book in December and a paperback in January. The title is Attack of the Wingnuts: How the Lunatic Fringe Is Hijacking America, by John P. Avlon, who often writes for The Daily Beast about political groups.

JUST PICTURES: Jerry Pinkney has illustrated more than 100 children’s books in the last 45 years. The Lion and the Mouse, a bestseller, is his first wordless book. It’s an adaptation of the familiar Aesop’s fable.

Pinkney told Children’s Bookshelf, “What child doesn’t respond to the lion—there’s something magic about a lion, the majestic king of the jungle. Then on the other side, there is the mouse. A mouse is tiny but when one scurries across the floor, everyone goes running! I’d say that if you ask people to name their favorite fables of all, many times this one lands in the top five.”

PW said that Little, Brown printed 75,000 copies.

NEW HOME: Poets House has a new home in Manhattan’s Battery Park City. Lee Briccetti, executive director, told The New York Times, “The goal of the place is to make everyone feel that poetry belongs to them. Anyone can come and experience poetry in a new way that will deepen their relationship to language.” The glass facade is as sharp as a ship’s prow.

Marie Howe, a poet and professor at Sarah Lawrence College, said she planned to take her students to Poets House. She said, “They should have a huge sign outside: ‘Rest is here. Safety is here. Nourishment is here.’ It’s the water of life, but so rarely do we get to drink from it. It’s the song of the human soul.”

COOKS TOO: Children’s book author and illustrator Tomie dePaola has a new book, Strega Nona’s Harvest, on the bestseller list. PW reported that dePaola celebrated his 75th birthday at a party his publisher threw at a New York restaurant. DePaola proved that his fictional Strega Nona is not the only cook. He made French Napoleons for the partygoers’ dessert.

NEW IMPRINT: Simon & Schuster has formed Gallery Books to house Pocket Books and small imprints. Pocket Books will again publish only mass market paperbacks.

Simon & Schuster CEO Carolyn Reidy told PW she formed Gallery “to withstand the vicissitudes of the marketplace and respond rapidly to changing market preferences.” Pocket Books and Simon Spotlight Entertainment will emphasize fiction for women, pop culture, and entertainment.

TAILORED TEXT: An advertisement in The New York Times promised, “We will print a story book about your child” for only $9.99. “The children you love will be thrilled to see their own names printed in these unique, personalized story books.” A child can share a story book with SpongeBob, Spider-Man, Dora, Elmo, Disney Cars and others. Shipping and handling is an additional $2.99. Delivery is promised in 21 days.

BACKGROUND: Anita Shreve’s For a Change in Attitude is a bestseller. The author said in an interview that this was the only novel she’s written “about a place where I’ve actually lived. It’s really about how a single moment in time can completely alter the course of someone’s life.” The book is set in Nairobi, Kenya, where Shreve lived in the late ’70s.

COLLABORATION: Fifty years ago Norton Juster and Jules Feiffer collaborated on The Phantom Tollboth, which became a classic.

Now they are working together on a new book, The Odious Ogre, for Michael diCapua Books at Simon & Schuster. It will be published in the fall of 2010. Feiffer does the illustrations.

PW said the 80-year-old men are already planning another joint venture. Feiffer said, “Watch for The Odious Tollboth coming in 2060.”

PRICE WAR: In October, just as the big books of the year were being launched, Wal-Mart and Amazon started a price war. Wal-Mart announced that the price of 10 best-sellers, including Stephen King’s Under the Dome, with a retail price of $35, would be $10 each on its website. Amazon followed suit. Wal-Mart then dropped its price to $9. Amazon matched that price. Wal-Mart cut its price again to $8.99.

The New York Times reported that “booksellers, agents and authors, meanwhile, fretted that the battle was taking prices for certain hardcover titles so low that it could fundamentally damage the industry and the ability of future authors to write or publish new works.”

James Patterson, whose I, Alex Cross was also included in the top 10, told the Times, “Imagine if somebody was selling DVDs of this week’s new movies for $5. You wouldn’t be able to make movies. I can guarantee you that the movie studios would not take this kind of thing sitting down.”

DEATHS

Jim Carroll, 60, died September 11 in Manhattan. He was a poet, punk rocker and author of The Basketball Diaries (1978).

Forrest Church, 61, died September 24 in Manhattan. The Unitarian pastor was the author of nearly two dozen books, including

John Colburn, 94, died August 8 in Bedford, Mass. The Episcopal bishop was the author of many books, including Prayer and Personal Religion (1957), A Diary of Prayers, Personal and Public (1975) and Anne and the Sand Dobbies: A Story About Death for Children and Their Parents (1964).

Dominick Dunn, 83, died August 26 in Manhattan. He was the author of The Two Mrs. Grenvilles (1985), An Inconvenient Woman (1990) and The Way We Lived Then, Recollections of a Well-Known Name Dropper (1999).

Raymond Federman, 81, died October 6 in San Diego. He was the author of Double or Nothing: A Real Fictitious Discourse (1971), The Voice in the Closet (1979), The Twofold Vibration (1982) and Smiles on Washington Square: A Love Story of Sorts (1985), which won the American Book Award.

Edward Goldsmith, 80, died August 21 in Siena, Italy. He had homes in London, Italy and New Zealand. He was the author or editor of The Great U-Turn (1978), The Social and Environmental Effects of Large Dams (1984) and The Way: An Ecological World View (1998).

Edward Hall, 95, died July 20 in Santa Fe, N.M. The cultural anthropologist was the author of The Silent Language (1959), The Hidden Dimension (1966) and The Dance of Life: The Other Dimension of Time (1983).

E. Lynn Harris, 54, died July 23 in Los Angeles. His home was in Atlanta. He was the author of a dozen books, including Invisible Life (1991), Just As I Am (1995), If This World Were Mine (1998) and a memoir, What Becomes of the Brokenhearted (2004).

Jane Aiken Hodge, 91, died June 17 in Lewes, England. The daughter of Conrad Aiken, she was the author of 40 novels, including Maudveer Hill (1964), The Adventurers (1966) and Savannah Purchase (1970). She also wrote a study, The Double Life of Jane Austen (1972), and a biography, The Private World of Georgette Heyer (2006).

Stuart M. Kaminsky, 75, died October 9 in St. Louis. He was the author of more than 60 crime novels, including Bullet for a Star (1977), Murder on the Yellow Brick Road (1977), To Catch a Spy (2002) and Leiberman’s Folly (1991). His nonfiction books included Clint Eastwood (1974), John Huston, Maker of Magic (1978) and (coauthor) Basic Filmmaking (1981).

Elmer Kelton, 83, died August 22 in San Angelo, Texas. He wrote more than 60 books, including Buffalo Wagons (1956), The Good Old Boys (1978) and The Day the Cowboys Quit (1971).

Jack T. Kirby, 70, died August 6 in St. Augustine, Fla. He was the author of Mockingbird Song: Ecological Landscapes of the South (2006) and Media-Made Dixie (1978).


Karla Kuskin, 77, died August 20 in Seattle. She was the author and illustrator of more than 50 books for children. Titles include In the Middle of the Trees (1958), The Rose on My Cake (1964), Soap Soup and Other Verses (1992) and Near the Willow Tree (1975).


Sheila Lukins, 66, died August 30 in Manhattan. She was coauthor of The Silver Palate Cookbook, which sold more than 2.5 million copies. She also wrote or co-wrote The Silver Palate Good Times Cookbook, The New Basics Cookbook and All Around the World Cookbook. In all, her books sold more than seven million copies.

Norma Fox Mazer, 78, died October 17 in Montpelier, Vt. She was the author of 33 books and recipient of a Newbery, an Edgar, and the Christopher and Alan awards. Among her titles: After the Rain (1987), Girlhearts (2002) and Out of Control (1994). The Missing Girl is scheduled for publication in 2010.

Frank McCourt, 78, died July 19 in Manhattan. The retired English teacher was the author of Angela’s Ashes, a best-selling memoir, ‘Tis and Teacher Man.

Milton Meltzer, 94, died September 18 in Manhattan. He was the author of nearly 100 books for children. Titles include The Amazing Potato (1992) and biographies of Ferdinand Magellan, Benjamin Franklin, Thomas Paine, Thomas Jefferson, Andrew Jackson, Frederick Douglass, Theodore Roosevelt, Mark Twain, Albert Einstein and Betty Friedan.


Richard Poirier, 83, died August 15 in Manhattan. A founder of the


Budd Schulberg, 95, died August 3 in Westminster Beach, N.Y. He was the author of What Makes Sammy Run (1941), The Harder They Fall (1947) and The Disenchanted (1950).

Kenneth M. Stampp, 96, died July 13 in Oakland, Calif. The historian was author of The Peculiar Institution: Slavery in the Antebellum South (1956), The Southern Road to Appomattox (1969) and America in 1857: A Nation on the Brink (1990).


Sarah E. Wright, 80, died September 13 in Manhattan. She was the author of This Child's Gonna Live (1960) and A. Philip Randolph: Integration in the Workplace (1990).

Sidney Zion, 75, died August 2 in Brooklyn. He was the author of Read All About It! The Collected Adventures of a Maverick Reporter (1982), Markers (1990), Trust Your Mother but Cut the Cards (1993) and Loyalty and Betrayal: The Story of the American Mob (1994). ♦

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**BULLETIN BOARD**

**Poetry Contests**

Snake Nation Press's annual Violet Reed Haas Prize awards $1,000 and publication to the winning manuscript. Deadline: **March 1, 2010.** Previously published poems are eligible. To enter, send a 50-75 page manuscript with a $25 entry fee (or pay online) to Snake Nation Press, 2920 North Oak Street, Valdosta, GA 31602. snakenationpress.org/contests.html

Campbell Corner at the Sarah Lawrence College Language Exchange is offering its 12th annual Poetry Contest. Work that treats larger themes with lyric intensity are especially welcomed by the judges. The winner receives $3,000. To enter, send up to 20 pages, omitting the poet's name from the manuscript, with $25, a cover sheet with name and contact information, and a list of any poems from the manuscript that have been published already. Deadline: **March 15, 2010.** The Language Exchange, Campbell Corner Poetry Contest, Sarah Lawrence College, 1 Mead Way, Bronxville, NY 10708-5999. slc.edu/ccorner.

*The Malahat Review*, a Canadian literary magazine, is holding the Far Horizons Award for poetry, for poets who have yet to publish in book form (a book of 48 pages or more). The winner will receive $500, plus payment at the rate of $40 per printed page upon publication (payment is in CAD). Send up to three unpublished poems per entry, each poem not to exceed 60 lines, in any style. U.S. entries should include a $30 fee, which includes a one-year subscription. Provide the entrant's name on a separate page with contact information and title(s). Deadline: **May 1, 2010.** The Malahat Review, Far Horizons Award for Poetry, University of Victoria, PO Box 1700, Stn CSC, Victoria, BC V8W 2Y2, Canada. (250) 721-8524; malahat@uvic.ca.

The James Laughlin Award is given to a second book of original poetry, in English, by a citizen of the U.S. Only manuscripts already under contract with publishers are considered for the award. The Academy of American Poets will award the winning poet $5,000 and purchase copies of the book for distribution to its members. Entries must have come under contract with a U.S. publisher between May 1, 2009, and April 30, 2010. The publisher must send four copies of each manuscript without the author's name appearing in running heads or on any page. All manuscripts will be read "blind." Suggested length is between 40 and 75 pages. Deadline: **May 15, 2010.** A completed entry
The form signifying the publisher’s acceptance of these guidelines must accompany all entries. Alex Dimitrov, Awards Coordinator, The Academy of American Poets, 584 Broadway, Suite 604, New York, NY 10012-5243. (212) 274-0343; adimitrov@poets.org.

Residencies
The Stadler Center for Poetry at Bucknell University offers the Philip Roth Residence in Creative Writing to provide an emerging writer four months to write in order to complete a first or second book. The residency carries a stipend of $4,000 and lodging is on campus. The resident will give a public reading of his or her work but will not have formal academic obligations. The residency is awarded to prose writers and poets on an alternating basis; the 2010-2011 residence will be awarded to a poet and extend from late August through mid-December 2010. Deadline: February 20, 2010. Applications are available online at bucknell.edu/x3745.xml.

The Marguerite and Lamar Smith Fellowship for Writers, at the Carson McCullers Center for Writers and Musicians, and Columbus State University, GA provide semester-long fellowships for writers. During the Fall 2010 semester, the Smith/McCullers Fellow will receive a $5,000 stipend and residence in a private apartment in Carson McCuller’s childhood home. Fellows must give readings or workshop presentations, plus a final presentation. To apply, mail three copies of a packet containing the following: your full contact information; your CV, including all fellowships, scholarships, prizes, or other honors; a writing sample of up to 20 pages; a statement describing why you feel that you would be a suitable Smith/McCullers Fellow, and describing the nature and extent of the work you would expect to accomplish during the residence. In addition, have two references complete the Center’s recommendation form and mail it directly to the Center. Visit mccullerscenter.org/fellowships.htm to download the form and read the full guidelines. Deadline: April 1, 2010. Cathy Fussell, Director, The Carson McCullers Center Fellowship Program, English Department, Columbus State University, 4225 University Avenue, Columbus, GA 31907. (706) 565-4021; fussell_cathy@colstate.edu.

Fiction Contests
The Poetry Center at Passaic County Community College offers several awards for books published in 2009, with deadlines ranging from February 1 to April 1, 2010. They are the Paterson Poetry Prize ($1,000 for a book of poems), the Allen Ginsberg Poetry Awards ($1,000, with $200 and $100 runners-up prizes), the Paterson Prize for Books for Young People ($500), and the Paterson Fiction Prize ($1,000 for a novel or collection of short fiction). The guidelines for each prize are online at old.pccc.edu/poetry/Prize/index.html. Send applications to Maria Mazziotti Gillan, Executive Director, Poetry Center, Passaic County Community College, One College Boulevard, Paterson, NJ 07505-1179. (973) 684-6555; mgillan@pccc.edu.

Once again, the Baton Rouge Area Foundation is offering the Ernest J. Gaines Award for Literary Excellence to recognize African-American writers of excellence. The recipient receives $10,000 and will give a reading at the award ceremony. Eligible books include novels or short story collections published in the U.S. in 2009; the writer must be African-American. Self-published books are considered only if they have had substantial sales or been reviewed in well-known journals. Authors may submit their own work directly. Deadline: February 1, 2010. Download the submission form at ernestjgainesaward.org, and mail along with 10 copies of the book to The Ernest J. Gaines Award for Literary Excellence, c/o The Baton Rouge Area Foundation, 402 N. Fourth Street, Baton Rouge, LA 70802. For more information, contact Jessica Foley at jfoley@braf.org or (225) 387-6126.

The Susan B. Anthony Institute for Gender and Women’s Studies at the University of Rochester is offering its annual Janet Heidinger Kafka Prize for fiction by an American woman. A cash prize of $5,000 will be awarded to a book-length work of prose fiction, whether novel, short stories or experimental writing, published in 2009. Entries must be submitted by publishers. Deadline: February 1, 2010. For full submission guidelines, and to download an application form, visit rochester.edu/college/wst and click on “About SBAI.” Janet Heidinger Kafka Prize, Susan B. Anthony Institute for Gender and Women’s Studies, University of Rochester, 538 Lattimore Hall, RC Box 270434, Rochester, NY 14627-4034.

So to Speak, a biannual feminist journal of poetry, fiction, nonfiction and art published by George Mason University, is accepting entries for its 2010 Short Fiction Contest. First place is $500 and publication in the journal; two runners-up will also receive publication. Send stories of up to 5,000 words with a $15 entry fee for each story. Send two copies of the manuscript, one with your name and contact information and one without. Include a cover letter with full contact information, a statement that the work is a contest entry, a brief bio of up to 75 words, and how you heard about So to Speak. For full guidelines visit www2
The Academy of Motion Picture Arts and Scientists awards up to five $30,000 fellowships each year to new screenwriters who have not earned more than $5,000 writing fictional work for film or television. The Don & Gee Nicholl Fellowships in Screenwriting are for the original work of one writer, or the collaborative work of two writers. To enter, send an original feature film screenplay of approximately 90 to 120 pages in length with an application form and $30 entry fee by May 1, 2010. Apply online or by mail; application forms and instructions are available online at oscars.org/awards/nicholl Foundation, Nicholl Fellowships in Screenwriting, 1313 Vine Street, Hollywood, CA 90028-8107.

Multiple Genres

The Binghamton Center for Writers at Binghamton University-SUNY offers two book awards. The John Gardner Fiction Book Award honors a novel or collection of fiction published in 2009. The winner will participate in an awards ceremony and give a reading at the university. The Milt Kessler Poetry Book Award honors a book of poems, 48 pages or more in length, by a poet 40 or older and published in 2009. Both awards carry a cash prize of $1,000. Full guidelines and an application form are available online at www2.binghamton.edu/english/creative-writing (click on the Binghamton Center for Writers link). Deadline: March 1, 2010. Maria Mazziotti Gillan, Director, Creative Writing Program, Binghamton University, Department of English, General Literature, and Rhetoric, Library North Room 1149, Vestal Parkway East, PO Box 6000, Binghamton, NY 13902-6000. (607) 777-2713; cwpro@binghamton.edu.

The University of Pittsburgh Press offers two prizes. The Drue Heinz Literature Prize for short fiction is open to writers who have published a book-length collection of fiction or at least three short stories or novellas in commercial magazines or literary journals. The winner receives a cash award of $15,000 and publication by the University of Pittsburgh Press. To enter, send a manuscript of short stories; two or more novellas (a single novella should be up to 130 double-spaced pages); or a combination of one or more novellas and short stories. The manuscript as a whole should be between 150 and 300 pages. Work previously published as part of an anthology is eligible. Include a list of the writer's published short fiction with full citations. Include two cover pages: one with manuscript title and author's full contact information, a second with title only. Omit all identifying information from the manuscript aside from the first cover page. Entries must be postmarked between May 1 and June 30, 2010 and sent to Drue Heinz Literature Prize, University of Pittsburgh Press, 3400 Forbes Avenue, Eureka Building, Fifth Floor, Pittsburgh, PA 15260. The Press also offers the Agnes Lynch Starrett Poetry Prize for a first full-length book of poems. The winner receives $5,000 and publication in the Pitt Poetry Series. Submissions must be postmarked between March 1 and April 30, 2010. Visit upress.pitt.edu/prizes.aspx for full submission guidelines for both prizes, or contact press@pitt.edu.

The Barbara Deming Memorial Fund awards grants of up to $1,000 to U.S. or Canadian poets, fiction writers, and nonfiction writers "whose work addresses women's concerns or speaks for peace and justice from a feminist perspective." The awards are given twice a year; 2010 deadlines are June 30 and December 31. Send an SASE for an application and complete guidelines. Susan Plines, Administrator, Money for Women/Barbara Deming Memorial Fund, Inc., Grants in Poetry, Fiction, and Nonfiction, P.O. Box 630125, Bronx, NY 10463.

Translation

The American Literary Translators Association is offering its $2,500 National Translation Award for a translation of literature from any language into English published by a North American publisher in the previous calendar year. Nomination is by publishers only. The award-winning book and translator are announced and featured at the annual ALTA conference held each fall. The award is open to book-length works of fiction, poetry, drama or creative nonfiction (literary criticism and philosophy are not eligible). Visit utdallas.edu/alta/resources/grants.html for full nomination guidelines, including entry fee. Deadline: March 31, 2010. National Translation Award, American Literary Translators Association, The University of Texas at Dallas, 800 W. Campbell Road, (JO 51), Richardson, TX 75080-3021. (972) 883-2093. ♦
BOOKS BY MEMBERS

Diane Ackerman: Dawn Light: Dancing with Cranes and Other Ways to Start the Day; David A. Adler (and John Wallner, illus.): Honest Abe Lincoln; David A. Adler (with Michael S. Adler and illustrations by Matt Collins): A Picture Book of Harry Houdini; Jeffrey Akins: Introduction to New Music; Karl Alexander: Jaclyn the Ripper; Jerry Apps: Blue Shadows Farm: A Novel; Michael Argetsinger: Mark Donovan: Technical Excellence at Speed; David Armstrong: Written Out; Linda Ashman (and Michael Chesworth, illus.): Creaky Old House: A Topsy-Turvy Tale of a Real Fixer-Up; Ken Auletta: Googled: The End of the World As We Know It; Avi: Murder at Midnight; Molly Bang: All of Me!: A Book of Thanks; Kate Banks (and Georg Hallensleben, illus.): What’s Coming for Christmas?; Lynne Barasch: First Come the Zebra; Molly Barlow: Malia and Teacup: African Adventure; Malia and Teacup: Out on a Limb; Hester Bass (and E. B. Lewis, illus.): The Secret World Of Walter Anderson; Marion Dane Bauer (and Richard Cowdrey, illus.): The Christmas Baby; Marion Dane Bauer (and Ted Lewin, illus.): The Longest Night; Bonny Becker (and Amy Fortnay, illus.): The Magical Ms. Plum; Bonny Becker (and Kady Macdonald, illus.): A Birthday for Bear; Randi Beer: A Designer’s Guide to Girls’ & Junior Apparel; Madison Smartt Bell: Devil’s Dream; Elizabeth Benedict (Ed.): Mentors, Muses & Monsters: 30 Writers on the People Who Changed Their Lives; Helen Benedict: The Edge of Eden; James R. Benn: Evil for Evil; Kelly Bennett: Dance, Y’All, Dance; Ira Berkowitz: Sinner’s Ball; William J. Birnes (and Joel Martin): The Haunting of America: From the Salem Witch Trials to Harry Houdini; Karen Blomain: Hard Bargain; Elizabeth Bluemel (and Randy Cecil, illus.): How Do You Wokka-Wokka?; Lisa Bork: For Better, For Murder; Kathleen Long Bostrom: 99 Things to Do Between Here and Heaven; What Is the Bible?; Who Made the World?; Barbara Taylor Bradford: Breaking the Rules; Carol Brendler (and Ard Hoyt, illus.): Winnie Finn, Worm Farmer; Cynthia Brian: Be the Star You Are! For Teens: Loving, Loving, Laughing, Learning, and Leading; Sandra Brown: Rainwater; Smash Cut; Stacy Brown: Jelly Roll Morin: New Orleans Style! Chicago Style! Kansas City Style! It’s all Jelly Roll Style!; Roger W. Brucker: Grand, Gloomy, and Peculiar: Stephen Bishop at Mammouth Cave; Beth Wagner Brust (and Cynthia La Brie Norral): Quirky, Yes—Hopeless, No: Practical Tips to Help Your Child with Asperger’s Syndrome Be More Socially Accepted; Robin Burnell: The Bone Chamber; Augusten Burroughs: You Better Not Cry: Stories for Christmas; Meg Cabot: Allie Finkle’s Rules for Girls: Stage Fright; Philip Caputo: Crossers; Lillian Stewart Carl: The Charm Stone; Betsy Carter: The Puzzle King; John Cech (and Gail deMarcken, illus.): The Nutcracker; Margaret Coel: The Silent Spirit; Sherry Suib Cohen (and Michael Groover): My Delicious Life with Paula Deen; Suzanne Collins: Catching Fire; John J. Conley: Adoration and Annihilation: The Convent Philosophy of Port-Royal; Michael Connelly: 9 Dragons; Jeanne Cornillot: Family Sentence: The Search for My Cuban-Revolutionary, Prison-Yard, Mythic-Hero, Deadbeat Dad; Joseph Cowley; John Adams: Judy Cox (and Omar Rayyan, illus.): The Case of the Purloined Professor: The Tails of Frederick and Ishbu; Doreen Cronin (and Scott Menchin, illus.): Stretch; Shutter Crum: Thunder-Boomer; Kathryn Cullen-DuPont: Human Trafficking; Joseph Cummins: The War Chronicles: From Flintlocks to Machine Guns: A Global Reference of All the Major Modern Conflicts; Alzina Stone Dale: When the Postwar World Was New; Barbara D’Amato and Mark Zubro (and Jeanne M. Dams): Foolproof; Larry O. Dean (Contributor): On the No Road Way to Tomorrow; David DeKok: Fire Underground: The Ongoing Tragedy of the Centralia Mine Fire; Cheryl Dellasega (and Tyler Beauford, illus.): Bloggirls: Sixsistsic92 (Meg); Yvonne Wakim Dennis (and Arlene Hirschfelder): A Kid’s Guide to Native American History: More Than 50 Activities; Deborah Durland DeSaxi and Karen Gray Ruelle: The Grand Mosque of Paris: A Story of How Muslims Rescued Jews During the Holocaust; David Ellis Dickerson: House of Cards: Love, Faith, and Other Social Expressions: A Memoir; Patti Dickinson: Coach Tommy Thompson & The Boys of Sequoyah; E. L. Doctorow: Homer & Langley; Tom Dolby: Secret Society; Stephen J. Dubner (and Steven D. Levitt): Superfreakonomics: Global Cooling, Patriotic Prostitutes, and Why Suicide Bombers Should Buy Life Insurance; Kathleen Duey: Sacred Scars: A Resurrection of Magic, Book 2; Patrick Durantou: Logic of Hegel (La Phénoménologie et la Logique Hegélienne); Susan Dworkin: The Viking in the Wheat Field: A Scientist’s Struggle to Preserve the World’s Hardest; Hope Edelman: The Possibility of Everything: A Memoir; Debbi Dahl Edwardson: Blessing’s Bead; Elaine Elinson (and Stan Yogi): Wherever There’s a Fight: How Runaway Slaves, Suffragists, Immigrants, Strikers, and Poets Shaped Civil Liberties in California; Marc Eliot: Clini Eastwood: American Rebel; Reagan: The Hollywood Yars; Helen Epstein: Ecrire La Vie; Elizabeth Fackler: My Eyes Have a Cold Nose; T. Faron: Postcards; Mike Farris: The Altitude Experience: Successful Trekking and Climbing Above 8,000 Feet; Kate Feiffer (and Tricia Tusia, illus.): The Problem with the Puddles; Bruce Feiffer: America’s Prophet: Moses and the American Story; Muriel Feldshuh: Celebrate . . . Voices in Children’s Books; Dan Fesperman: The Arms Maker of Berlin; Barbara Fisher: Reprising Joy; Sid Fleischman (and Peter Sis, illus.): The Dream Stealer; Candace Fleming: The Great and Only Barnum: The Tremendous, Stupendous Life of Showman P. T. Barnum; Candace Fleming (and Nancy Carpenter, illus.)
Imogene’s Last Stand; Thomas Fleming: The Intimate Lives of the Founding Fathers; Ronald Florence: Emissary of the Doomed: Bargaining for Lives in the Holocaust; Joanne Fluke: Plum Pudding Murder; Betsy Franco (and Shino Arihara, illus.): Zero Is the Leaves on the Tree; Betsy Franco (and Tom Franco, illus.): Metamorphosis: Junior Year; Caroline Fraser: Rewinding the World: Dispatches from the Conservative Revolution; Mary Ann Fraser: Pet Shop Lullaby; Helen Frost: Crossing Stones; Gregory Funaro: The Sculptor; Patricia Lee Gauch (and Barbara Lavallee, illus.): The Knitting of Elizabeth Amelia; Brent Gelfi: The Venusia Cable; Denise Giardina: Emily’s Ghost: A Novel of the Brontë Sisters; James Cross Giblin: The Rise and Fall of Senator Joe McCarthy; Patricia Reilly Giff: Wild Girl; Ralph G. Giordano: Satan in the Dance Hall: Rev. John Roach Stratton, Social Dancing, and Morality in 1920s New York City; Perry Glasser: Dangerous Places; Gail Godwin: Unfinished Desires; Robert Goolrick: A Reliable Wife; Linda Gordon: Dorothy Lange: A Life Beyond Limits; Mary Gordon: Reading Jesus: A Writer’s Encounter with the Gospels; Michael Greenberg: Beg, Borrow, Steal: A Writer’s Life; Jacqueline Dembar Greene (and Doug Chayka, illus.): The Secret Shofar of Barcelona; Nikki Grimes (and Eric Velasquez, illus.): Voices of Christmas; Nikki Grimes (and R. Gregory Christie, illus.): Rich: A Dymondle Daniel Book; Michele Grimm and Tom Grimm: The Basic Book of Digital Photography; Timothy Hallinan: Breathing Water; Wilborn Hampton: Horton Foote: America’s Storyteller; Joy Harjo (and Mercedes McDonald, illus.): For a Girl Becoming; Joan Hiatt Harlow: Secret of the Night Ponies; Suzanne Harper (and Peter Earnest): The Real Spy’s Guide to Becoming a Spy; Carolyn Hart: Merry, Merry Ghost; Libby Hathorn (and Doris Unger, illus.): Zahara’s Rose; Juanita Havill (and Anne Sibley O’Brien, illus.): Jamaica Is Thankful; Florence Parry Heide (and Lane Smith, illus.): Princess Hyacinth: (The Surprising Tale of a Girl Who Floated); Anne C. Heller: Ayn Rand and the World She Made; Patricia Hermes (and Ruth Sanderson, illus.): Horse Diaries: #3: Kodra; Esther Hershenhorn (and Zachary Pullen, illus.): S Is for Story: A Writer’s Alphabet; Charles Higham: In and Out of Hollywood; Susanna Leonard Hill (and Nicole Rutten, illus.): Not Yet, Rose; Charlotte Hinger: Deadl y Descent; Mary Ann Hoberman (and Marc Boutavant, illus.): All Kinds of Families!; Steve Hodel: Most Evil: The Further Serial Murders of Dr. George Hill Hodel; Eva Hoffman: Time; Gerelyn Hollingsworth: Contest, A Novel; Sara Lewis Holmes: Operation Yes; Ellen Hopkins: Tricks; Ellen Howard: The Crimson Cap; Katherine Bolger Hyde: Lucia, Saint of Light; Donna M. Jackson: Extreme Scientists: Exploring Nature’s Mysteries from Perilous Places; Sid Jacobson (and Ernie Colón, illus.): Che: A Graphic Biography; Joe Jares (and George Tolley): The Golden Age of College Tennis: A USC Coach’s Unique Contributions to the Game; Suzanne Jermain: The Secret of the Yellow Death: A True Story of Medical Sleuthing; Haynes Johnson (and Dan Balz): The Battle for America 2008: The Story of an Extraordinary Election; LouAnne Johnson: Muchacho; Tony Johnston (illustrated with sculptures by Yuyi Morales, photographed by Tim O’Meara): My Abuelita; Kaylie Jones: Lies My Mother Never Told Me: A Memoir; Sandra Jordan (and Christine Davenier, illus.): Mr. and Mrs. Portly, And Their Little Dog, Snack; Jacqueline Jules (and Kathryn Mitter, illus.): Duck for Turkey Day; John Keegan: The American Civil War: A Military History; Peg Kehret: Runaway Twin; Jacqueline Kelly: The Evolution of Calpurnia Tate; Margaret Kenda: Math Wizardry for Kids; Science Wizardry for Kids; Liza Ketchum: Newsgirl; Elizabeth Cody Kimmel: Boy on the Lion Throne; The Childhood of the 14th Dalai Lama; Eric A. Kimmel (and Jill Weber, illus.; Adapted): Even Higher!: A Rosh Hashanah Story by I. L. Peretz; Eric A. Kimmel (and Jim Madsen, illus.): A Spotlight for Harry; Stephen King: Under the Dome; Chuck Klosterman: Eating the Dinosaur; Gordon Korman: Pop; Zoobreak; Stephen Krensky (and Henry Cole, illus.): Chaucer’s First Winter; Susan Kuklin (illus., with words by Marilyn Nelson): Beautiful Ballerina; Susan Kuklin: No Choirboy: Murder, Violence, and Teenagers on Death Row; David Kuntz: Awakened Mind: One-Minute Wake Up Calls; Michelle D. Kwasney: Blue Plate Special; Robert Lacey: Inside the Kingdom: Kings, Clerics, Modernists, Terrorists, and the Struggle for Saudi Arabia; Tom Lalicki (and Carolyn Cerniglia, illus.): Frame-up on the Bowerly: A Houdini & Nate Mystery; Wally Lamb: Wishin’ and Hopin’: A Christmas Story; Robert Langs: Freud on a Precipice: How Freud’s Fate Pulled Psychoanalysis Over the Edge; Justine Larbalestier: Liar; Kirby Larson (and Brian Dennis and Mary Nethery): Nuts: The True Story of a Mutt, a Marine & a Miracle; Victor Lavalie: Big Machine; Ursula K. Le Guin (and S. D. Schindler, illus.): Cat Dreams; Peter Lerangis: WTF; Ellen W. Leroe: Dear Big V; Julius Lester (and Geraldo Valério, illus.): The Hungry Ghosts; Daniel Levin: The Last Ember; Irene S. Levine: Best Friends Forever: Surviving a Breakup with Your Best Friend; Victoria Likes: Manage Your Remodel and Save Money; Sheila E. Lipsey: Beautiful Ugly: Into Each Life, Sinsatiable; Sally Lloyd-Jones (and Jago, illus.): The Jesus Storybook Bible Deluxe Edition; Malinda Lo: Ash; Jess Lourey: September Fair; Peter Louie: Whaling Season: A Year in the Life of an Arctic Whale Scientist; Sharon Lovejoy: Toad Cottages & Shooting Stars; Alice Low (and John O’Brien, illus.): The Fastest Game on Two Feet: And Other Poems About How Sports Began; Lois Lowry (and Bagram Ibatouline, illus.): Crow Call; Mike Lupica: Million-Dollar Throw; Barry Lyga: Goth Girl Rising; George Ella Lyon (and Stephanie Anderson, illus.): You and Me and Home Sweet Home; Stan Mack (and Susan Chaplins): Road to Revolution; Mary Mackey: The Widow’s War; Jo Maeder: When I Married My Mother; Ann Malaspina (and Colin Bootman, illus.): Finding Lincoln; Leonard Maltin: Leonard
Legal Watch

Continued from page 17

of the domain name will be a native English speaker who would understand that the term “sucks” is derogatory. As such, the panel concluded that the domain name “radioshacksucks.com” is in fact confusingly similar to the domain name “radioshack.com.”

In regard to whether Gu Bei had any rights or legitimate interests with respect to the domain name “radioshacksucks.com,” the panel noted that the burden of proof fell on TRSQ. In this case, the panel noted that the fact that Gu Bei refused to respond to the complaint in any manner, thereby failing to demonstrate any circumstance that showed a legitimate interest in the domain name, weighed in TRSQ’s favor. The panel also noted that Gu Bei’s “radioshacksucks.com” redirected Internet users to other ad sites, not to a site containing complaints about RadioShack. As such, the panel found that fair use did not apply, as there was no relationship between Gu Bei’s domain name and TRSQ’s domain name. Moreover, there was no evidence that preparations were being made by Gu Bei to use “radioshacksucks.com” in connection with the bona fide offering of goods or services nor was there evidence that it intended to make any legitimate non-commercial uses of the domain name. As such, the panel concluded that Gu Bei did not have a legitimate interest in the domain name “radioshacksucks.com.”

Finally, the panel found that Gu Bei’s registration and use of the domain name “radioshacksucks.com” was in bad faith. In making this determination, the panel noted the public history of RadioShack, which has been in existence in mainstream publications and media for 85 years. Moreover, the fact that radioshack sucks.com included links to RadioShack competitors, which likely earned Gu Bei a profit, was found to mislead Internet users as to the source or sponsorship of radioshack sucks.com. As such, the panel found that Gu Bei’s use of the domain name “radioshacksucks .com” constituted bad faith and ordered it transferred back to TRSQ.
The National Book Foundation presented the Literarian Award for Outstanding Service to the American Literary Community to Dave Eggers, for his work in expanding the audience for literature and enhancing the cultural value of literature in America. The award was presented at the National Book Awards dinner in New York City on November 18. Among the finalists for the 2009 National Book Awards were T. J. Stiles, The First Tycoon: The Epic Life of Cornelius Vanderbilt, Nonfiction; and for Young People’s Literature, Deborah Heiligman, Charles and Emma: The Darwins’ Leap of Faith, David Small, Stitches, and Rita Williams-Garcia, Jumped.

The Friends of the University of Nevada, Reno, Library inducted H. Lee Barnes into the Nevada Writers Hall of Fame on November 12. The organization also presented Charles Bock with the Silver Pen Award, which recognizes emerging and mid-career writers.

Independent Publisher magazine announced the winners of its 3rd Annual Moonbeam Awards for children’s books that inspire children to read, learn and dream. The winners included Margaret Hyde, Mo Smells Green, Silver, Pop-up/Cut-out; Jacqueline Dembar Greene (and Robert Hunt, illus.), Meet Rebecca, Silver, Pre-Teen Fiction—Historical/Cultural; Chester Aaron, Gideon, Silver, Young Adult Fiction—Historical/Cultural; and Josephine Nobisso (and Katalin Szegedi, illus.), Take It to the Queen: A Tale of Hope, Gold, Religion/Spirituality. The awards were presented on October 10 at the West Virginia Book Festival in Charleston.

Among the USA News Book Awards finalists for 2009 were Matthew Tully, The Chimera Seed, Fiction & Literature: General Fiction, and Patricia Weenolsen, The Cape of Storms, Literary Fiction: Historical.

Shirley Brosius received the 2009 Gold Award for Inspirational/Spiritual books from the Young Voices Foundation for Sisterhood of Faith: 365 Life-Changing Stories About Women Who Made a Difference.

Roger Brucker was granted the 2009 Spelean Arts and Letters Award by the National Speleological Society. He was the winner of the 2004 Spelean History Award. The award honors a member of the society who has advanced spelean arts and letters by significant artistic expression, management or criticism.

Yvonne Wakim Dennis, with coauthors Maya Ajmera, Arlene Hirschfielder, Cynthia Pon and the Global Fund for Children, received a gold Moonbeam Award in 2008 for Children of the U.S.A., in the Multicultural Nonfiction category. The book was also named to the 2008 Best Children’s Books of the Year list, sponsored by Bank Street College of Education’s Children’s Book Committee.

Patrick Durantou was given a Lifetime Achievement Award and named the Vice-Chancellor of the World Academy of Letters by the American Biographical Institute. He also received the 2009 Ansted Social Responsibility International Award (ASRIA) from the Ansted University Foundation in England. The award honors individuals, organizations and corporations involved in socially responsible programs benefitting local, state or international communities.

Seal Woman, by Solveig Eggerz, was chosen by the American Association of University Women as its January 2010 book of the month. Seal Woman was also a finalist for the 2009 Eric Hoffer award for short prose and independent books.

Joan Frank received the 2010 Richard Sullivan Prize in Short Fiction for her story collection, In Envy Country. The prize is administered by the University of Notre Dame’s Creative Writing Program.

Jim Hornfischer’s book, The Last Stand of the Tin Can Sailors, was chosen by the U.S. Naval Institute’s Naval History magazine as one of “a dozen Navy classics.”

Nancy Kriplen was awarded a Creative Renewal Arts Fellowship by the Arts Council of Indianapolis and Lilly Endowment, Inc. The fellowships, $10,000, allow recipients to focus on personal renewal, with the belief that the entire community will benefit through investments in individuals in the creative community.

No Choirboy: Murder, Violence, and Teenagers on Death Row, by Susan Kuklin, was named to the Best Book for Young Adults list by the ALA’s Young Adult Library Services Association. It was also listed as a Notable Book for a Global Society by the International Reading Association, a Best Book of 2008 by the School Library Journal, a Best YA Book of 2008 by Kirkus, a 2008 Stuff for the Teen Age book by the New York Public Library, and a Junior Library Guild Fall Selection.

Kim Dana Kupferman received the 2009 Katharine Bakeless Nason Prize in Nonfiction from the Bread Loaf Writers’ Conference for her manuscript I Just Lately Started Buying Wings. Missives from the Other Side of Silence, which will be published by Graywolf Press in 2010 as part of the award.
The Rowing Lesson, by Anne Landsman, received the 2009 Sunday Times Fiction Prize. The award is bestowed by the South African newspaper The Sunday Times and is the largest award of its kind in Africa.

Shelia E. Lipsey was named Author of the Year in the Shades of Romance Magazine Readers’ Choice awards for 2009. Her book, My Son’s Wife, was named Fiction Book of the Year, Best Book Cover of the Year, Christian Fiction Book of the Year, and Christian Romance Book of the Year. She also received a 2009 Black Pearls Magazine Top Shelf Book Award for Beautiful Ugly and was named a 2009 Official Black Web Award Nominee. Last year, she was named Author of the Year by Conversations Book Club for Into Each Life and Sinsatiable.

The Women’s National Book Association (WNBA) selected The Widow’s War, by Mary Mackey, to be one of nine books featured during WNBA’s National Reading Group Month.

George Mandler received an honorary doctorate from the University of Vienna in October.

John Moir is the Grand Prize Winner for the 2009 Writer’s Digest Annual Writing Competition. Moir’s winning article, which was published by Smithsonian.com, was chosen from more than 13,500 submissions. He received a $3,000 cash prize and a trip to New York City with a Writer’s Digest editor to meet with agents and editors. In addition, the November/December issue of Writer’s Digest magazine features an interview with Moir and a profile of his work.

Mark Monmonier received the Mercator Medal from the German Cartographic Society at the Society’s annual meeting in Karlsruhe, Germany, in September.

The American Biographical Institute inducted Jack C. Norbeck into its Hall of Fame for Distinguished Accomplishments in honor of his work as an author, historical photographer, international photo exhibitor and his work for steam and animal power.

Alberto Ruy-Sánchez and Margarita de Orellana received the 2009 Van Deren Coke Award from Los Amigos del Arte Popular in celebration of their 20 years publishing the magazine Artes de Mexico. The award was presented at a ceremony in July in Santa Fe, NM.

Appalachian Odyssey, by Steve Sherman (and Julia Older, with a foreword by Edward Abbey), was awarded Honorable Mention in the 2009 National Outdoor Book Awards.

Dead Air, by Deborah Shlian, received the Thriller/Adventure award from USA Book News’s National Best Books Award competition. Rabbit in the Moon, also by Deborah Shlian (and Joel Shlian) received a gold Florida Book Award for Genre Fiction. The awards were presented at the Miami Book Fair on November 14. Rabbit in the Moon also received a silver medal from ForeWord Magazine, for Mystery of the Year, and was a finalist in the Royal Palm Literary Awards from the Florida Writers Association.

Sneeze!, by Alexandra Siy, received the 2008 American Institute of Physics Science Writing Award in the Children’s Book category.

Char Solomon has been chosen as a Road Scholar for 2010 by the North Carolina Humanities Council. Participants in the Road Scholars Speakers Bureau provide presentations throughout the state on various topics within the humanities.

Lancelot’s Lady, by Cheryl Kaye Tardif, is a semifinalist in Dorchester Publishing and TextNovel.com’s “Next Best Celler” romance writing contest, ranking number three in the list of 21 novels, which were voted on by readers. The winner will receive a $2,000 prize and a publishing contract with Dorchester.

James Alexander Thom was presented with the inaugural Indiana Authors Award, for the year 2009. Established by Eugene and Marilyn Glick, the award bestows a prize of $10,000, and $2,500 to be given to the Indiana library of his choice.

The Utah Center for the Book awarded the Utah Book Award for nonfiction to Stephen Trible for Bargaining for Eden: The Fight for the Last Open Spaces in America. The Utah Book Awards were presented at the Salt Lake City Main Library on October 15.

Sylvia Hoehns Wright was recognized by the Freedoms Foundation at Valley Forge, in connection with the National League of American Pen Women (NLAPW), for her effort to “promote an understanding and appreciation for our country’s rich heritage and unique freedoms.” An excerpt of her book, A Path Worn Smooth, will be included in the NLAPW’s Lincoln Legacy anthology, Happy Birthday, Mr. Lincoln.

* * *

Authors Guild Bulletin 52 Winter 2010
Platform Challenged

Continued from page 13

small can build to big pretty quickly. Most authors think of themselves as writers, not as marketers. I start by suggesting they think of themselves as a marketer. I try to get authors to ask a basic question, a question that needs to be answered compellingly in any book proposal: “Why am I the Person to Write this Book?” And the next question, which is just as important: “What’s the story of my book?” By which I mean—what does it offer to people? Who do you want it to be offered to? Why did you put your heart and soul and time and hopes into doing this? Why should a reader be emotionally, intellectually or psychically connected to you? Looking at those questions, for starters, can lead us to who and how to reach the people that can be our audience.

ROSS: As a consultant, you work with some of the biggest names in American business: Disney, DreamWorks, Mattel. It seems to me that these companies have platform up the wazoo. Why do they hire you?

KOMAIKO: They hire me to help them figure out the story of their brand. I believe they hire me because I understand the “voice” of writing and the voice of a business idea to be the same. I have seen over and over that the best, most successful brands are based on someone’s simple story/vision/reason for being, and their ability to connect with an audience unseen. As writers, we have the leg up here. This is what we do naturally. This is why I love to work with authors.

ROSS: What can you do for my clients, brilliant writers who have made a difference in the world, but don’t have the big platforms that will get them a book contract?

KOMAIKO: If your clients have great books, I can help them shift into a marketing frame of mind and still be authors. I can help them discover the story of their brand and build their book as a brand just like a company—without all the expense and employees. I help them pull from their material chapters, aspects, ideas that could resonate with audiences they may not have thought of. This starts to build their platform. I help them design worthwhile strategies from Facebook to corporate partnerships and sponsorships, to public relations and on-camera coaches who can help them with media appearances, to nonprofit affiliations, journalists and more. You have to be willing to see your book as a small business. That is the way many of the most successful authors have made real money and ancillary product from their books for years. Knowing your audience and keeping it relevant is far more important than having a zillion “tweets.” When you know your story, I truly believe your message is unique. And who doesn’t want to say they know someone unique—someone who is not uniquely a criminal? And even then . . . fast way to build a platform. ♣

Why Authors Skip Hardback

Continued from page 14

HarperCollins had subsided, I found myself having second thoughts about the paperback release. I wandered over to Barnes & Noble in Union Square in Manhattan to try to confirm my decision.

The new hardcover fiction table, on prominent display at the front of the store, was stacked with big books from big names. But not a single customer was browsing it.

The less glamorous paperbacks table was shunted to the right. A dozen or so people crowded around, leafing through the lighter, smaller, less expensive books.

I wonder when they’ll switch around the tables. ♣

Letters

Continued from page 2

lives in New York and looks back on a long career as a writer. She confirmed that her father would have been alone. At the outbreak of World War II Lady Rama Rau had taken Santha and her older sister back to India.

As I grew up, literary fantasies embellished my mental picture of Sir Bengal. In my imagination he wore a richly embroidered silk sherwani and a striped turban secured with a huge pink diamond. His photograph suggests a more mundane reality.

—Manu Herbstein
Accra, Ghana
CONTRACTS Q&A

Continued from page 15

it exclusive so any lawsuit can still take place in your home court (subject to getting jurisdiction over the publisher by properly serving it with a complaint).

4. Omit the clause altogether, which leaves the dispute for another day (which may never come). The publisher may consider this a satisfactory way to resolve the impasse. Although omitting an important clause is not something I typically recommend, having it would be worse for you since you’re dealing with an overseas situation.

Each of these approaches (or at least the first three) deals with the issue head-on. What may also be helpful—whether or not one of those alternatives is accepted—is what computer-savvy people call a “workaround,” viz., getting to the place you want but by different means. Consider the following:

Accede to the publisher’s position but require that before a lawsuit can be brought by either side, both must mediate the dispute or attempt to do so (diligently and in good faith) for a specified period (e.g., 90 days). Mediation is a non-binding procedure in which a skilled third party seeks to work out a compromise acceptable to both sides. Giving both sides the opportunity to air complaints and suggest solutions can help to dampen emotions and overcome the kind of misunderstandings that frequently accompany seemingly irreconcilable disputes. It can be done long distance through 3-way phone calls or by the mediator speaking (or corresponding) separately with each party and then proposing solutions s/he thinks might be satisfactory to both.

This alone may resolve the problem without your being required to travel abroad and without the publisher retreating from its position on location of litigation.

If you do decide to sign the publisher’s clause (with or without the “exclusive” language), be aware that—if you are ever sued by the publisher in a foreign court—in some jurisdictions contractual provisions requiring suits to be brought in a foreign court may not apply unless the clause also says that you 1) accept or consent to that court’s jurisdiction, and 2) waive rights relating to an “inconvenient forum” (often expressed as forum non conveniens). Because of this, if language indicating either of those things is in the contract you are asked to sign, delete them since it is possible the publisher will be satisfied with the clause without either of them.

If you do decide to sign the publisher’s clause (with or without the “exclusive” language) and are eventually sued, be aware that in some jurisdictions contractual provisions requiring suits to be brought in a foreign court may not be enforced unless the clause also says that you 1) accept or consent to that court’s jurisdiction, and 2) waive rights relating to an “inconvenient forum” (often expressed as forum non conveniens). Because of this, if language indicating either of those things is in the contract you are asked to sign, delete them. It is possible the publisher will be satisfied with the clause without either.

By the way, you say that the publisher refuses to change its position. Is that truly so? Have you walked away from the deal and the publisher not called you back? In real hardball negotiating, only if you are truly willing to walk away do you have a chance of succeeding when there’s an impasse on a key issue and all attempts at compromise have failed. The downside of that, of course, is that you have to be prepared to abandon the deal.

Whether this particular clause should be that issue is a separate question. Many people would not consider it one to kill a deal for. However, if your publisher refuses to accept any of the above alternatives or the workaround option, you might want to consider how reasonable your publisher is in general. And if the answer is “not very”—which would be a valid conclusion since the alternatives are reasonable and the workaround causes no harm other than to delay hauling you into court—then you may not want that company or person to be your publisher in any event.

E-mail questions to QandAColumn@authorsguild.org. Questions are often edited for readability or to make them more broadly applicable.

The answers in this column are general in nature only and may not include exceptions to a general rule or take into account related facts that may result in a different answer. You should consult a lawyer for information about a particular situation. No question submitted, or answer provided, creates an attorney-client relationship with the column’s author.
stores of both their own books and a few of our other new releases. We can send you a list of bookstores in your area once you fill out the My Local Bookstores list on your Author’s Questionnaire. You’ll be reading not only from your book but from “Code Blue Stat,” a new medical thriller we’re really excited about, and “Fifty Great Pan Sauces,” a cool new cookbook. Their authors, Dr. Steven Rosenthal and Gail Freyne, will stay in Chicago and Boston, respectively, and read from each other’s book and yours. This idea, apparently, is what made Jason take his clothes off and lock himself in a supply closet.

F.Y.I., we’ve migrated all the photos out of your book and onto the Web page. It makes the hard-copy version cheaper to produce (fewer pages; no photos) and the e-text more “Kindle-friendly.” Sometime next week, call Christopher over an ISDN line and say your name, as distinctly as possible, at least two hundred times, so we can dub it as an Audio Autograph onto the podcast edition. (You may already have done this for a previous book, but somehow Jason managed to delete all the audio files before Security escorted him from the building.)

Don’t hesitate to try to contact me if you have any questions. I sort of have my hands full, promoting twenty-three new releases this fall, but I’m really excited about working on your book, and I look forward to collaborating with you to make “A History of Moorish Architecture, 1200–1492” the biggest success it can be.
## Membership Application

Mr./Ms. _______________________________ Pseudonym(s) _______________________________
Address _______________________________ City __________________ State ____ Zip ______
Phone ( ) __________________ Fax ( ) _______________ E-mail __________________________
Agent Name ____________________________ Agency ____________________ Agent phone ( ) __________

How did you become interested in joining the Guild? (check one)  □ Invitation  □ Writing journal
□ Referred by ___________ □ Other ________________________________
What is your primary reason for joining?  □ Support and advocacy efforts  □ Legal services  □ Health insurance
□ Site-builder and other Web services  □ Other ________________________________

Writers may qualify on the basis of being book authors or freelance journalists. **Book authors** must have been published by an established American publisher. A writer who has a contract with an established publisher for a work not yet published may join as an associate member. A *contract with a vanity press does not qualify a writer for membership in the Guild.* **Freelance journalists** must have published three works, fiction or nonfiction, in a periodical of general circulation within the last eighteen months.

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Bulletin, Winter 2010