Electronic Rights

Draft Statement by the SFFWA ad-hoc subcommittee on Electronic Rights

By SARAH SMITH
Science-Fiction Fantasy Writers of America

Publishing is now going through enormous technological changes. New information markets and formats, such as electronic distribution, Web-based publishing, and multimedia products, are creating a new type of marketplace without a physical location and products without a physical embodiment. The American publishing industry is now part of a global information and entertainment phenomenon that includes computers, consumer electronics, communications, publishing, education, and entertainment.

In this new technological era, ownership of content is key. For those who own content, the “global info-sphere,” as the National Writers Union calls it, affords new possibilities for publishing, promotion, and distribution.

One consequence of this electronic era has been a rush to acquire content. Publishers and magazines have asked for electronic rights, sometimes for a small fixed price, sometimes for free.

The electronic era raises several issues for SF and fantasy writers. The most immediately important in economic terms are those of our rights to our own material.

The optimal position for authors is to retain all electronic rights, for both distribution and adaptation, until they get a clear, specific, and believable offer of publication, for which they are getting a fair royalty.

Only if writers retain their full electronic rights can they protect their creative investment and retain the ability to control its future use (including many forms of non-commercial use).

Terminology

It’s important to distinguish between electronic distribution (on disks, on the Internet or the Web) and electronic adaptation (sometimes called hypermedia or multimedia).

In electronic distribution, the unchanged text of the work or an image of its unchanged pages is stored and distributed electronically. In many ways, electronic distribution resembles traditional publishing, but with radically lowered printing and storage costs and minimal penalties for keeping the work in print. To some degree, authors can do this form of publishing themselves; some have begun to do so, selling their own “out of print” texts over the Web. Publishers can do the same thing, making their backlist potentially more valuable.

Hypermedia/multimedia is a new medium, a creation of software rather than text alone. The relationships among pieces of text are no longer the same relationships as those among pages or chapters of a work. Pieces of text are linked. The essential structure of a hypermedia adaptation is a structure of links.
Why Do We Need Oprah to Sell our Books?

As I’m sure you are all well aware, Oprah Winfrey has taken to plugging her favorite books on her television talk show and thus turning them into instant bestsellers. This is such a great idea, one wonders why no one ever thought of it before. Well, of course, we all know how difficult it is for a writer to get on a talk show in the first place because writers are so boring, so this avenue of promotion has long been closed to the vast majority of us. And Oprah has made it abundantly clear she won’t plug just anyone and certainly not at the request of a publisher, so this avenue is going to stay closed to the majority of us for the foreseeable future. I do think we can learn a lesson from this phenomenon, however—a lesson from which publishers can perhaps profit, too.

Have any of you stopped to wonder exactly why Oprah’s recommendation resulted in so many sales? Oh, I know the obvious reason, namely that when you tell 20 million people to do something, a great many of them will do it, no matter what it is. But in this case, someone (Oprah) told people to do something I think many of them were not accustomed to doing (buy a book).

How do I know this? Because 800,000 additional sales for a book that has already been on the New York Times bestseller list is way more than anyone could have anticipated. This means that a lot of the people who bought the book in question, The Deep End of the Ocean, don’t usually buy books at all. So what we must ask ourselves is why they bought this one. The answer is pretty simple when you get right down to it: because someone they know and trust told them it was a good book.

Yes, but are you no doubt saying to yourself (and to me), there are many, many good books out there. Why didn’t they buy those, too? Because, my dear friends, these people don’t know how to buy a book. Oh, they probably know that you give your money to the person at the cash register. I’m not talking about that part. What I mean is that they don’t know how to select a book to buy in the first place.

Imagine, if you will, a person who may have enjoyed reading in high school but who sort of got out of the habit after graduating and getting a job and getting married and starting a family. This person knew which books to read in school but who sort of got out of the habit after graduating and getting a job and getting married and starting a family. This person knew which books to read in school—the teacher assigned them. And they were all good books, too. Now, however, this person doesn’t have a clue which books are good, much less which books to buy. And let’s face it, going into a bookstore can be quite intimidating. One needs a certain amount of self-confidence to march to those walls of books and select one from among the many that (we hope) will give pleasure and enjoyment. The choices are overwhelming—even the limited number of them at chain stores—so these people don’t make them.
One needs a certain amount of self-confidence to march to those walls of books and select one from among the many... The choices are overwhelming.

This is the reason why genre books are so popular. If a person discovers that she likes a certain type of book, say a western or a mystery or a romance, those types of books are neatly grouped and clearly labeled for the slightly discerning reader. But what about the person who doesn’t even know that genres exist? Who may not even know there are different kinds of books for different tastes, the person who therefore doesn’t buy anything at all for fear of making the wrong decision and being disappointed?

These people, my friends, are the ones we’ll have to reach if publishing as we know it is going to survive. This is the vast, untapped readership that will replace all those lovely senior citizens who read avidly but who die with alarming frequency, and all those high school graduates who can’t read at all. This is the readership that will put the black ink back into publishing.

The solution to publishing’s demise lies, ironically, in television. We need to educate the potential readers, and I don’t mean teach them how to read. We must teach them how to buy a book, and Oprah has, quite by accident, shown us how to do it. We must figure out a way to have trusted individuals recommend books—sort of visual cover quotes, if you will. Naturally, these books will be the ones intended as bestsellers, but once we get people reading Mary Higgins Clark, they will learn they like mysteries and buy other authors, too. The trick is to teach them what they like and how to find it.

Can we do this? Not alone. We’ll need help from the publishers, but perhaps together we can tap that vast market. After that, perhaps we can even save the midlist. Hey, it’s a new year. Anything is possible.

— Victoria Thompson

Letters to the Editor

Letters to the Editor is the most important column in our newsletter, since it is the monthly forum in which we can all share our views and express our opinions. Anonymous letters will never be published in NINK. Upon the author’s request, signed letters may be published as “Name Withheld.” In the interest of fairness and in the belief that more can be accomplished by writers and publishers talking with one another rather than about each other, when a letter addresses the policies of a particular publisher, the house in question may be invited to respond in the same issue. Letters may be edited for length or NINK style. Letters may be sent to the NINK editor via mail, fax, or e-mail. See masthead for addresses.

This white space brought to you by “Good Intentions” — the lazy elf who meant to take a few minutes to share an opinion, express a concern, salute a positive trend...but somehow just didn’t get around to it.
Writers are not the only ones who can potentially benefit from new technology, or be seriously affected by it. Writers, fans, small publishers, APazines, newsletters, and our readers all stand to gain or to lose from decisions that are being taken now.

As a committee, we advocate the following stands and urge SFFWA and its members to consider them:

- We advocate that the new electronic infrastructure be priced within the reach of the ordinary consumer, and that libraries, schools, and other public institutions be provided with access points. It is important not to divide the world into those who have the right to read information and those who don’t.
- The technology exists to enable individual authors, small presses, and writer co-ops to publish and distribute on the network, and to have their payments and royalties electronically collected. Small publishers and self-publishers should not be priced out of this market. We advocate that the price of technology, distribution, and royalty collection remain within the reach of small publishers.

- The Authors Registry is an important step toward parity in this area. We commend SFFWA for its support of the registry and urge all SFFWA authors to register.
- Unauthorized duplication steals from all authors and publishers. We advocate:
  - The development of easy, legal ways to use electronically stored information while paying for it.
  - The development and use of methods to track copies of works, including authentication checksums and embedding of electronic signatures.
  - The rewriting of federal law to give U.S. authors equal protection with signatories of the Bern Convention on copyright law.
  - U.S. governmental cooperation against piracy, including actions and sanctions against pirates.
- The libraries of the future are likely to be repositories of electronically distributed documents as well as books. They are already taking advantage of electronic distribution. Now libraries, each of which once bought one copy of a hardback book, are becoming one library consortium loaning out smaller numbers of copies and keeping track of them electronically. In the future, libraries will presumably not loan out electronic documents in the same way that they now loan books.

We support public libraries, but urge them to be aware that, in their role as an information resource, they may compete with other electronic means of distribution.

- As publishers move toward electronic publication, issues of preservation become urgent. Times change, operating systems change, and some fairly important works—e.g. Thomas Disch’s *Amnesia*—are now on the verge of being lost for technical reasons. We urge publishers, distributors, and authors to be aware of the preservation issues involved in electronic distribution and adaptation, and we ask them to take all appropriate steps, such as retaining uncompiled masters of electronic adaptations.

Electronic Rights

(Continued from page 1)

which (particularly in the case of fiction) modifies or supplants the previous linear structure of the work.

In addition, electronic adaptations may add visuals (animation, video, still pictures) and/or programming, and may repurpose the work, republish it in a different context and sometimes in adapted form.

Creating an electronic version of a work can be as simple as adding links or, because of multimedia additions and programming, it can become extremely complex and costly.

It is unlikely that a contract written today can determine what rights can be economically exploited in the future, how valuable those rights will be, or what company will be in the best position to exploit them. Writers should protect their equity in their creative work by retaining these rights, as they retain movie rights, until they can sell them in the expectation of a profit.

Electronic Distribution

Publishers have argued that they must retain electronic distribution rights to protect their investment in publicizing the book. Without those rights, they argue, the sales of their own print versions of the work may be adversely affected by competing electronic versions. It is clearly in everyone’s interest that (at least for a substantial period of time) one edition does not cannibalize another. In the future, with anticipated electronic distribution of backlist, this may become an important issue for books. It has already become one for shorter works.

If writers choose to sell electronic distribution rights, it should be clear that electronic distribution alone is being covered—that is, the distribution in electronic form of an unchanged image. Electronic distribution as such does not cover works that are “abridged,” “expanded,” “adapted,” or modified in any way. It does not cover the addition of links to the work, or the repurposing of a work for a different context. The first is an adaptation; the second, an anthology republication.
Electronic adaptations

The issue of cannibalization applies only to electronic distribution. Market experience so far has shown that adaptations of a novel or story into different media create interest rather than dividing it; the game promotes the novel and vice versa, as the movie promotes the novel.

The electronic adaptation of a work into hypermedia or multimedia is an adaptation into a different medium, and should be governed by the same model as, for example, movie rights. (However, in contrast to the case with movie adaptations, there can legitimately be more than one electronic adaptation of the same work. For instance, there may be Dune the computer game, Dune the interactive CD-ROM edition of the movie, which also contains the text of the book, and Dune the repurposed and linked element of Herbert's complete works on CD-ROM.)

SF and fantasy writers should be very careful to specify what rights they sell when selling electronic rights. With the convergence of consumer electronics, games, and movies, it will become less easy to create clear contractual distinctions among deluxe book editions, hypermedia/multimedia adaptations, movie adaptations, and games.

In no case, when electronic adaptation rights are sold, should writers give the right to the electronic publisher to make "adaptations" or "further works" with the same world or characters, as this can be construed to be a general licensing of rights.

Considerations in selling electronic distribution and adaptation rights

Writers may choose to sell some or all of their electronic distribution rights and adaptation rights to the same house that publishes their books. However, different sorts of electronic works vary widely in cost, complexity, and ease of creation. Not every house is set up to exploit every distribution channel or every sort of adaptation, nor should they be.

If writers choose to sell electronic distribution rights, they should be aware of the following issues:

Reading and Resources
Please add to this list!

"Statement of the Authors League of America before the Working Group on Intellectual Property Rights of the White House Information Infrastructure Task Force, September 23, 1994." Available from the Authors Guild (see below) or the Authors League of America, 330 W. 42nd St., New York NY 10036, (212) 564-8350.

"Electronic Publishing Rights. A position statement by the Authors Guild and the American Society of Journalists and Authors (ASJA) "October 18, 1993." Available from the Authors Guild, 330 W. 42nd St., New York NY 10036-6902; (212) 563-5904; staff @authorsguild.org.


ASJA Contracts Watch electronic newsletter gives the latest in rights issues for producers of short works. To receive each edition of Contracts Watch automatically by e-mail, send e-mail to: ASJA-MANAGER@SILVERQUICK.COM In the subject line, type: CONTRACTS WATCH, in the message area, type: JOIN ASJACW-LIST

An excellent site with many electronic rights links is WWW Multimedia Law, maintained by Sandy Wong and a California multimedia law firm: http://www.batnet.com:80/oikoumene. WWW Multimedia can also be reached at http://www.oikoumene.com/

From this board you can reach, among other articles: "Copyright in the New World of Electronic Publishing" by William D. Strong, 1994. Strong discusses legal issues in electronic publishing from the publishers' point of view. An excellent summary:

The Screenwriters Guild runs a good board on multimedia issues, including law, and will take questions: http://www.screenwriters.com/Law/

The index page of the House of Representatives' Internet Law Library, section on Intellectual Property, has a number of key legal documents, including the Bern Convention and the U.S. Copyright Law: http://www.pls.com:8001/his/105.htm

More resources will be posted on Contract Committee member Sarah Smith's electronic rights page on the World Wide Web: http://world.std.com/swrs/elecrgts.html
Electronic Rights

(Continued from page 5)

- Some publishers are now asking for rights of “publication and adaptation” for “all media now known or hereafter to be discovered” (or, in Jeff Hecht’s wonderful phrase, “all media involving electrons). This formulation unacceptably mixes distribution and adaptation rights and cuts into other rights, including film and audiocassette.

  - Electronic rights should remain divisible by medium, format, and content.

  - The cost for the whole bucket of rights should reflect the cost of the component rights, including film adaptation and general licensing of characters. When pressed, most publishers do not really want all rights.

- Though the contract may not say so, some publishers have taken the stand that a work in print in one medium (e.g., electronic) is to be considered in print in all media (including paper).

- Being in print in one medium does not imply being in print in another. Paper rights may revert while electronic rights are active; some electronic rights may revert while others are active.

- The definition of “out of print” in any form of publication should specify what criteria are being used. Criteria may include availability through specified outlets or at a specified site, degree of publicity, etc.

- Particularly for short works, some publishers are now offering a flat fee (or no fee at all) for electronic reprinting and repurposing.

- The purchase of one-time North American print rights does not imply bulk purchase of any distribution rights. Still less does it imply any right of adaptation or repurpose. A work that is purchased with unlimited rights of distribution and adaptive reuse is a work-for-hire or a general licensing of rights, and should be compensated as such.

- Fair compensation for electronic reprints should be an advance against per-use or per-sale royalties. Proper safeguards should be built into the distribution mechanism so that these figures can be collected and royalties can be paid to the author. The Authors’ Registry provides a mechanism to do so.

- This committee urges that SFFWA support the Authors’ Registry and other mechanisms, but develop “random audit” procedures to test their effectiveness.

- Some publishers have attempted to negotiate a single royalty percentage for all forms of electronic publication.

- Electronic royalties should vary by medium, format, and content.

- In the case of electronic distribution, the royalty split should be negotiated immediately prior to publication, reflecting the specific content, medium, and format.

- In electronic adaptations, the royalty split should reflect the efforts of the various participants.

- Distributors’ costs for producing, distributing, storing, and even publicizing electronic books are likely to be low; therefore, an author may well expect a significantly higher royalty rate than with the corresponding paper version. (Some sources have suggested as high as 85 to 90 percent.) But the costs of electronic adaptation can be high, and the author may receive a much lower percentage.

- Contracts should set some time limits on electronic rights.

  - Electronic rights should be negotiated per medium and on an option basis. If they are not exercised within a stated period, rights for that medium should revert to the author.

  - Given the rapid development of technology, it may be appropriate that electronic publication rights be renegotiated after a certain time period.

  - Unless the writer has given permission, his or her words should not be augmented, condensed, or excerpted in any publication, electronic or otherwise, beyond the limits of fair use.

- Some magazines have attempted to gain broad electronic rights by printing additions to the magazine contract on the back of the check. Such additions should be crossed out; the contract has already been negotiated.

  - The current difficulties in negotiating electronic rights come largely from genuine ignorance about the value of these rights. The publishers do not want to let rights get away that will be necessary to their future financial health. Neither do we.

  Most publishers are responding reasonably to reasonable stands on retaining electronic rights.

  - Most publishers are responding reasonably to reasonable stands on retaining electronic rights. The process sometimes takes time. As both sides gain experience, and as the market develops, it will be easier to negotiate a fair grant of rights.

  - In the meantime, we can protect our equity in our creative work by retaining electronic rights, as we retain movie rights, until we can sell them profitably.

This draft was developed by a subcommittee of the SFFWA Contracts Committee, composed of Greg Bear, Richard Curtis, Bud Sparhawk, and Sarah Smith; the final draft was written by Sarah Smith.

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The Spice of Life: Erotica in the UK

By CAROL BRUCE-THOMAS

Anyone still laboring under the delusion that British women keep their libidos securely concealed behind an armor of Harris tweed should catch an episode of “Topless Darts” some time.

Yes, that’s right. “Topless Darts.” Two young women sport their goosebumps on the beach at Bournemouth and vie to win a darts game where the prize is the opportunity to put their T-shirts back on.

Admittedly, I caught it on the cable channel during a recent trip home to the UK, but it’s symptomatic of a free, frank attitude toward sex that pervades the culture.

For even more telling evidence, visit the chain bookstore in any high street and check out the paperback fiction shelves of Dillon’s or WH Smith’s. Just past all those books by “Anonymous,” you’ll find steamy sexual fantasies like The Senses Bejeweled by Cleo Cordell, and One Summer Night by Tom Crewe and Amber Wells.

Erotica is hot in the UK. Over the past three years, books like this have seen an explosive growth in sales, fuelled almost exclusively by a group of readers not previously thought to be interested in erotica—that is, women.

In 1993 the Black Lace imprint was launched by Virgin Publishing—an amusing irony that hasn’t been missed in the copious print coverage enjoyed by this line. With the editorial credo of “Erotic fiction written by women, for women,” Black Lace has revolutionized the market.

Selling over a million copies in its launch year in the UK alone, the line brought erotica into mainstream respectability, even gaining bookclub listings. Such success naturally produced competitors eager for a slice of the pie, and now there are three well-established lines of erotica for women published in the UK and distributed all over the world.

So are there opportunities here for North American authors? Given the hotly debated connection between romance and erotica, it might seem like a natural crossover from romance writing.

That’s a decision that can only be made by each individual writer, but in these days of shrinking midlists and narrowing publishing calendars, it would seem a good idea to think globally and be aware of every possible avenue of publication.

Information about this market has been hard to come by, so I decided to research it for myself and share the results.

Naturally, I had to read the books (one must suffer so for one’s work), and found a diverse range of writing styles and modes of storytelling. Yes, they do indeed have plots—generally centered on sex, of course—that follow in the grand tradition of Fanny Hill and The Story of O.

There are distinct differences between the three main erotica imprints intended to appeal to women, but let’s talk about Black Lace first, which literally created the market and still dominates it, selling more than all other erotica imprints combined.

Black Lace

Erotic fiction for women, by women.

Emblazoned on every book and every piece of promotional material, this is the motto that defines Black Lace.

Published in mass-market paperback, the books are distinguished by their sophisticated, subtle cover treatments, permitting them to be read in public without embarrassment. Two titles are released per month, and some have proved so successful they have been reprinted up to seven times. Black Lace has made erotica so acceptable that their titles have been carried by a major book club in the UK.

The success of this line is the classic business case of finding an unfilled niche. Although there has been a long-term trend toward more explicit sexual content in women’s fiction, erotica has generally been a male preserve—after all, even Anaïs Nin wrote for a male patron.

But in 1993 Virgin gambled that women readers wanted something “steamier than Mills & Boon, and with more sex than Jackie Collins novels.” In actual fact, it wasn’t such a gamble. They did extensive market research, and continue to do so with a questionnaire in the back of every book.

Black Lace readers are asked in detail about the covers, the writing style, the plot, and the sexual content—is it too much? not enough? They are also asked to rate aspects of their “ideal erotic novel,” right down to specifics of setting, theme, style, and characteristics of the hero and heroine.

Interviewed in June on “The Sex Files,” a chat show on the UK Living cable channel, Kerri Sharpe, editor of Black Lace, had much to say about reader preferences and how seriously the editorial staff pay attention to questionnaire results.

So what do their readers like? Kinky, experimental sex, lovemaking in unusual places, or, interestingly...
enough, inappropriate behaviors in everyday settings: the office, the supermarket, even the dentist's chair!

And what about the characters? Well, they like "dominant, but caring men" and adventurous, independent women who nevertheless like men to take the lead. And those men tend not to be "overmuscled, oiled hunks" any more. In fact, Ms. Sharpe actually detects a trend toward the bespectacled, intelligent type!

She shrugs off the criticism of those who call Black Lace "porn for women," but points out that there is a vitally important difference between what men and women find appealing and stimulating. Traditionally, men's pornography relies on the visual depiction, whereas women enjoy using their imagination. Hence, Black Lace novels don't concentrate so much on anatomical detail. As Ms. Sharpe says, they are not "full of impossibly proportioned nymphomaniacs."

Interested in writing for the line? She advises reading the erotic classics, re-interpreting archetypal stories à la Angela Carter, and drawing inspiration from your own earliest fantasies.

Author Susan Bentley (who writes as Cleo Cordell) was one of the first Black Lace authors when they launched in 1993 and has written seven books for them.

Susan told me that she finds the Black Lace editorial staff very accessible and easy to work with. In fact, her success with Black Lace has made her one of the most well-known writers in the field in the UK, and has led to her work edging toward the mainstream. In December '96, Penguin/Signet released the first in a trilogy of "erotic dark fantasy" by Cleo Cordell.

**Liaison**

The stunning success of Black Lace caused other publishers to sit up and take notice. Or, in the words of Mike Bailey, associate publisher of Hodder Headline's Liaison line, "Black Lace expanded and re-focused the market."

Headline already published Delta, a well-established imprint of men's erotic fiction, but in 1995 they launched Liaison, aimed at both men and women. Unlike Black Lace, who focus on their all-female author line-up, the Liaison list includes both male and female writers, and a male/female team, Tom Crewe and Amber Wells.

Mike Bailey says that Liaison readers look for a strong plot, with plenty of atmosphere and interesting settings. Although most of their titles are contemporary, they do also accept historicals. Liaison authors tend to carve out their own niche, with one author specializing in stories set in London's financial world.

Bailey noted that writing for Liaison offers an author the advantage of steady sales and low returns. "When we can get the books on the shelves, they sell very well."

Although not all bookstores are open to carrying erotica, the acceptance and high profile of Black Lace have ensured wider distribution for this genre than ever before.

Susan Bentley noted that although Waterstone's (a slightly more up-market chain than WH Smith) do not carry the Black Lace series books, they do stock "Pandora's Box," an erotica anthology released under that imprint, and to which she contributed.

**X-Librис**

The venerable publishing company, Little Brown, has entered the field with their X-Librис imprint. Like Liaison, it was launched in 1995. Asked if the success of Black Lace had anything to do with the creation of X-Librис, editor Helen Pisano replied, "I'm sure it was an influence, but in all honesty the idea of a women's erotica line was one we had been playing around with for a while, and Black Lace beat us to it."

It seems publishers sensed the market niche for a long time, but it took Virgin to be the trailblazer in this field.

So are there significant differences between three imprints that all aim at the women's erotica market? The editors themselves have this to say:

"Very broadly speaking, I'd say that X-Librис is slightly gentler," says Helen Pisano. "I'm not saying it's in any way prudish, just a little gentler than some of the other lines."

Author Susan Bentley agrees, feeling that X-Librис offers less of the "me Tarzan, you Jane" approach and more emphasis on contemporary women going after what they want.

She describes the Liaison style as "Jolly bonking, light-hearted romps with a cheerful tone." And it's also the one line aimed explicitly at both men and women, though both Black Lace and X-Librис have some male readers.

When it comes to taboos, these are pretty consistent. No animals, no children, and no real violence, i.e., nothing that would be considered illegal. As for S and M, it's fine by Black Lace, while Liaison asks that it be kept within moderate limits, and so does X-Librис.

Across all the lines, both editors and authors mentioned the popularity of one basic theme—that of women exploring their sexuality and being in control. That women should have access to the kind of erotic fiction that has previously been aimed at a male audience. The theme is very much in accord with the editorial philosophy (and canny marketing skills) responsible for the stunning success of Black Lace.

After such a spectacular explosion in sales, and a raft of other lines jumping on the bandwagon, has the market in
erotic fiction for women reached a plateau?

Author Susan Bentley feels that it has, at least in the UK. but X-Libris editor, Helen Pisano, points out that new imprints continue to emerge.

This point of view is echoed by Zak Jane Keir, head of the Guild of Erotic Writers. Established in 1995, the group has 450 members, mainly in the UK, and publishes a quarterly newsletter providing market news and editorial guidelines. Zak feels that the market is still expanding and dividing into sub-genres, with the next direction being erotic horror and SF, such as is published by Circlet Press in the US.

Is there room in this expanding market for North American writers? Every editor I spoke to was open to submissions from the US and Canada; all they asked was that authors read the books first and ensure they catch the right tone.

Will erotica for women be a runaway hit in the US market the way it has in Britain? Certainly it would be a bonanza for both publishers and authors alike, and the success of the Nancy Friday books would indicate this could happen.

Personally, I wouldn’t bet on it. In my opinion, Bible Belt buying power and the lingering puritanical streak in the American psyche make it unlikely that women’s erotica will have the same impact on the publishing world here.

However, that doesn’t mean it won’t achieve respectable sales, or offer a viable alternative market for writers interested in boldly going where few women have gone before. NlNK

The author acknowledges the contribution of Deborah Wehnert, aka Claire Delacroix, who suggested the idea of this article and contributed interview questions.

Carol Bruce-Thomas is one half of the writing team, Debra Carroll. In April they release their fifth Harlequin Temptation, One Enchanted Night.
A Life of Glamour

By LAURA RESNICK

Who among us, if we are honest, has not pictured herself slim and tanned, perfectly coiffed and manicured, dressed in a stunning outfit that hints of Chanel and Givenchy, with matching shoes and purse for that subtle touch of Audrey Hepburn, seated behind an elegantly draped table signing hundreds of copies of her latest novel for her legions of readers? Givenchy, with matching shoes and purse for that subtle touch of Audrey Hepburn, seated behind an elegantly draped table signing hundreds of copies of her latest novel for her legions of readers?

Ah, yes... The brief, brilliant light of a camera-flash glitters every few seconds on fine crystal goblets filled with complementary champagne provided to quench the thirst of the crowds that began lining up hours before my arrival. Journalists prowl hungrily at the edge of the scene, desperate to get an interview, or at least a few charming off-the-cuff words from me. A television crew waits outside the store to film a glimpse of me getting into a stretch-limo which will whisk me off to the finest hotel in the city, all of it paid for by my publisher.... Picturing this along with me, some people may wonder why I never do signings anymore.

Of course, assuming you’re a member of Novelists, Inc. and not just someone who stole this newsletter from some writer’s mailbox, you probably think you already know why I don’t do signings anymore. After all, most of us have had certain common experiences: dealing with indifferent booksellers who’d rather be working in a video store but couldn’t get a job there; meeting customers who sneer at you on their way to buy real books; depressing days when, despite the best efforts of your supportive local bookseller, you only sell seven copies of your new novel; or making the exhausting and time-consuming effort of convincing everyone who’s ever known you to please! please! come buy your book at your signing, even if you have to pay them back later, so it won’t be a complete flop.

Yes, all of the above turned me into a disillusioned young writer well before my time. But it was a particular event which pushed me over the edge, an event which I still re-live in my nightmares.

The signing which changed my life was scheduled for two hours on a Saturday afternoon several years ago at a new-and-used romance-friendly bookstore in another city. A blizzard began just as I arrived at the bookstore, and it continued for the next 90 minutes, turning the community into an arctic tundra. Not a single customer entered the store during this time.

The heater wasn’t working very well, and—dressed in the best clothes a self-supporting midlist genre writer could afford—I started shivering after 20 minutes or so in this small, dark, not-very-clean store.

The bookseller, probably made uncomfortable by my morose demeanor, started chatting nervously about the previous signing she’d had there, showing me pictures of a writer who was much thinner than I, and commenting enthusiastically on how pretty she was, how popular, how charming. The store had been flooded with people just dying to buy her book, and the bookseller had sold many books that day! Moreover, the author was so sweet, she had even brought homemade cookies to the signing! (I, need I even add, had shown up empty-handed.)

I confess, as I huddled in my coat in the corner, lonely and unloved, I briefly wished a bad case of shingles on that writer. At my previous signing, a well-publicized affair in a busy new bookstore run by an old friend, no one had bought a single one of my books. My only consolation was the fact that the same was true of the writer who’d been sitting next to me at that signing (in fact, someone even came to the store to return one of her books that day).

Anyhow, the blizzard finally died down and—lo and behold!—a customer came into the bookstore.

A customer! Glory be! Hallelujah! Oh, frabjous day!

The customer looked at me. She asked who I was. She looked at my new novel. Then she snorted and disappeared into the bowels of the store.

When she surfaced a half hour later to pay for her books at the cash register, she had one of my books with her: a used copy of an earlier novel. The bookseller saw the expression on my face and quickly suggested to the customer that she might want to try my new novel.

“No,” the woman said sternly. “I don’t want to pay full price.”

The bookseller smiled nervously and suggested that...
perhaps she would at least like me to autograph the second-hand book?

While I examined and discarded cutting refusals to this suggestion, the woman turned her head, looked me up and down (pausing rather significantly on my shoes, for some reason), then turned back to the bookseller and said, “No, I'm sure I'll be trading it in next week.”

And that, my fellow authors, was the moment I decided never to do another signing.

Friends who've never been to one of my signings, and who still imagine me nibbling caviar and sipping champagne in between signing books for hundreds of adoring readers, admire the way I've sacrificed my ego-boosting public appearances in favor of staying home with my computer. And I...well, I've decided it would just be needlessly cruel to disillusion them about my life of glamour—cruel to myself, that is. 

Laura Resnick is currently not signing Fever Dreams, a romance novel from DLP/Zebra.

**Online**

Though flu season may be winding down, I want to talk about viruses—the computer kind, that is! Even the cyber-savvy tremble when that particular topic arises, and those new to computers may hesitate to venture online at all for fear of contracting one. Viruses range from harmless to annoying to devastating and can spread via disk or download, so it definitely pays to be careful.

A few safety tips: Never download an attached file from someone you don't know. Data/text files can't transfer a virus (nor can e-mail messages, despite some scary warnings you may have read) but attached programs definitely can. And sometimes you don't know what sort of file is attached to an e-mail message until you've already put it into your system. When in doubt, don't! It's worth a bit of extra effort to go back online to download those files you do want rather than have your system do it automatically.

Similarly, don't download software from the Internet unless you can trust the source. Just because someone tells you it's "cool" doesn't mean it's safe! Most commercial online services routinely test programs for viruses before making available for download, so those are usually the safest places to obtain them. If you do download a program from the Net, be sure to run a current viruschecker program before implementing it. (Most viruses can't hurt your system until they're executed.)

Over the past year or so, there's been a surge in virus hoaxes, as well. The continual influx of new Internet users makes these hoaxes all but immortal, since no matter how many times they're officially denounced, new users will come along later, receive a frightening warning, and forward it to everyone they know.

Here are several of the most common known hoaxes: 3bTrojan (alias PKZIP Virus), Death 69, Deeyenda, Free Money, Ghost. Good Times (this one just refuses to die!), Irina, Penpal Greetings, and Red Alert. If you receive a friendly note warning you about any of these, please don't forward it to anyone else! Conversely, here were the top ten real viruses as of the first week of January: NYB, AntiEXE, AntiCMOS, One Half, Junkie, Form.A, Stoned.Empire.Monkey (no, I didn't make that up!), Parity Boot, and Ripper. The real ones usually aren't identified in a file name, which is why you need to practice "cyber-safety." I found both of these lists at Symantec's virus center. For updates, check it out at:

http://www.symantec.com/avcenter

Of course, I can't end this column without my usual plug for the Ninclink mail list! Recent discussions have included plot vs character-driven books (and movies), the pros and cons of self-promotion and which types give the most "bang for the buck," useful contacts with art departments and cover artists, and how to figure out Harlequin print runs. A few posts on editors who don't edit anymore led to copyeditor horror stories (and praises for the good ones), which in turn segued into a discussion on grammar, including a hot (but civil!) debate on comma placement, which is still ongoing at this writing. That elusive thing called "voice" has been analyzed as well, something I personally found very edifying.

If you're still missing out on this valuable networking tool, you can subscribe by sending an e-mail to:

ninclink-d-request@cue.com

with nothing (or a period) in the subject box and the word "subscribe" in the message box, with your name (as it appears in the NINC roster) below that. A full third of our membership is subscribed now, so this resource just keeps getting better!

Remember, if you have news for this column (including interesting web sites!) please let me know at:

BrendaHB@aol.com

See you online!

— Brenda Hiatt Barber : )
Members should send Marilyn Pappano a postcard alerting her to upcoming books, especially those in multi-author anthologies, which are often listed by last names only. Marilyn's phone/fax number is 918-227-1601, fax 918-227-1601 or online: pappanor@gorilla.net. Internet surfers can read and retrieve the list with this magic formula: 1. Enter the World Wide Web via this address: http://www.usatoday.com 2. At USA Today's homepage, click on the purple "Life" button in the USA Today masthead. Once in the Life section, click on the purple "Books" button in that masthead to go to the bookpage. Click, in turn, on two blue entry lines to see the top 1-50 list and the next 51-150 titles. You can also access year-to-date bestsellers by category. Save or print out the file. Look for your name or those of your friends, and track the stars!

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<td></td>
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<td>The Ugly Duckling</td>
<td>53n</td>
<td>46</td>
<td>78</td>
<td></td>
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<td>Jayne Ann Krentz</td>
<td>Absolutely, Positively</td>
<td>86n</td>
<td></td>
<td></td>
<td>114</td>
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<td>Wicked</td>
<td>120n</td>
<td></td>
<td></td>
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<td>Innocence Undone</td>
<td>130n</td>
<td></td>
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<td>Remember When</td>
<td>55</td>
<td>64</td>
<td>104</td>
<td>112</td>
</tr>
<tr>
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<td>The Calhoun Women</td>
<td>105</td>
<td></td>
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<td>Holding the Dream</td>
<td>37n</td>
<td></td>
<td></td>
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</table>

Et al.: written with other author(s) who aren't members of NINC

**INTRODUCING...**

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

**New Applicants**

Alice Duncan (Emma Craig, Rachel Wilson), Roswell NM
Margaret Falk, Tucson AZ
Susan Krinard, Concord CA
Caiseal Mor, Glebe, New South Wales, Australia
Sam J. Siciliano, Vancouver WA
Trana Mae Simmons, Terrell TX
Jennifer Smith (Jennifer Crusie), Columbus OH
Gay Cameron Snell (Gay Cameron), Alexandria VA

**Returning Member**

Alison J. Hentges (Amber Kaye, Georgina Devon), Tucson AZ

**New Members**

Helen Bianchin, Queensland, Australia
Pam McCutcheon, Colorado Springs CO
Catherine (Casey) Mickle (Casey Claybourne),
Sacramento CA
Michael Sackett, Glen Arm MD
Day Totton Smith (Day Leclaire), Buxton NC
Stephen Solomita (David Cray), Pocono Summit PA
Sandy Steen, Plano TX
If You Want to Try Self-Promotion

The following are addresses for some companies whose products may be of interest to authors venturing into self-promotion. Inclusion of any company in the list does not imply an endorsement by Novelists, Inc.

**Printing Services**

**MODERN POSTCARD**
High-quality postcards in small quantities
6354 Corte del Abeto #E
Carlsbad CA 29009
619-431-7084 office
619-431-1939 fax
1-800-959-8365 for brochure and samples

**CARL SEBASTIAN COLOUR**
Postcards, flyers, brochures, cards, and other printing
436 E. Bannister Rd.
Kansas City MO 64131
816-444-0044 office
816-361-0003 fax
1-800-825-0381 for brochure and samples

**ABC PICTURES**
For bulk printing of author photos
1867 E. Florida
Springfield MO 65803-4583
417-869-3456 for brochure and samples

**AMERICAN STATIONERY**
Personalized cards and stationery
100 Park Avenue
Peru IN 46970-1701
317-472-5901 fax
1-800-822-2577 for catalog

**COLORFUL IMAGES**
Wide variety of color mailing labels; some personalized products
1401 South Sunset Street
Longmont CO 80501-6755
303-682-7148 fax
1-800-458-7999 for catalog

**Desktop Publishing**

**PAPER DIRECT**
For special papers, pre-printed brochures, business cards, stationery, etc.
100 Plaza Drive
Secaucus NJ 07094-3606
1-800-44-FAXPD
1-800-A-PAPERS for catalog

**IMPACT**
For special papers, pre-printed brochures, business cards, stationery, etc.
P.O. Box 291505
Nashville TN 37229-1505
1-800-435-2278 fax
1-800-433-2278 for catalog

**LE DESKTOP**
For unusual paper, some pre-printed brochures, etc.
7860 E. McClain Drive
Scottsdale AZ 85260-1731
1-800-533-7911 fax
1-800-533-3758 for catalog

**QUEBLO**
For special papers, pre-printed brochures, business cards, stationery, etc.
100 Florida Ave.
Hagerstown MD 21741
1-800-523-9080 for catalog

**Giveaways and/or Personalized Items**

**ORIENTAL TRADING COMPANY, INC.**
Wide range of small, inexpensive items for giveaway; can order in bulk
P.O. Box 2407
Omaha NE 68103-0407
1-800-228-2269 for catalog

**HOWLAND INDUSTRIES**
Inexpensive, personalized book covers
3906 N. Ashland Ave.
Chicago IL 60613
773-528-0245 fax
773-929-5878 for information and sample

**NATIONAL PEN CORP.**
Personalized pens, calendars, etc.
342 Shelbyville Mills Road
P.O. Box 1500
Shelbyville TN 37160-9951
1-800-347-7367 for information

**THE POPCORN FACTORY**
Tins of popcorn, candy; can special imprint some cans
P.O. Box 4530
Lake Bluff IL 60044-9098
1-800-323-CORN (1-800-323-2676) for catalog

**NELSON MARKETING**
Wide range of items for custom imprint; can order in bulk
210 Commerce St.
P.O. Box 320
Oshkosh WI 59402-0320
414-236-7282 fax
1-800-722-5203 for catalog

**SALES GUIDES, INC.**
Wide range of items for custom imprint; can order in bulk
4937 Otter Lake Road
St. Paul MN 55110-9803
1-800-352-9501 fax
1-800-352-9899 for catalog

**BEST IMPRESSIONS**
Wide range of items for custom imprint; can order in bulk
P.O. Box 802
LaSalle IL 61301
1-800-635-2378 for catalog

**Shipping Supplies**

**CONSOLIDATED PLASTICS COMPANY, INC.**
Bags, packaging, and shipping supplies
8181 Darrow Road
Twinsburg OH 44087
216-425-3333 fax
1-800-362-1000 for catalog
First Wives

Recently, the column took a look at Olivia Goldsmith, the New York author who wrote *First Wives Club* and who has gone on to several other bestsellers.

After a messy divorce in the late 1980s that left her living on borrowed money, Goldsmith vented her rage at her former husband with *Wives*. (It’s a book about three women who team up to avenge themselves against ex-husbands who dumped them for younger, prettier types. In other words, it’s a modern inspirational.)

Odd thing was that the book didn’t sell. Publishers didn’t like the idea at all. One thought it was depressing, another was convinced men don’t act that way. (The former was probably Joni Evans and the latter was probably Dick Snyder, but the *Times* didn’t say.)

(Yes, Dick and Joni used to be married to one another.)

*Wives* did nothing until 1991, when Sherry Lansing bought the story outright for the movies. (Lansing, after all, lives in Hollywood; she already knows how badly men can behave.) Suddenly, the book was hot property. Goldsmith didn’t get a lot of money for book rights but as the movie project gained momentum, she ended up with a $3 million/three book deal at Harper.

I won’t bore you with the rest of the details, except to say that she’s got a couple of houses, she lives in Florida more than half the year to avoid paying New York income taxes, and she has at least $1.5 million in investments.

All for a poor victimized woman whose first husband shucked her off in favor of a chickier chick.

Talk about a revenge story.

Tube Power

At last count, Oprah had a total of four books in the top 13 on the USA Today list. One is the book she co-wrote, the other three are books she assigned for extracredit reading in her new and infamous book club.

I suppose we should all be happy that the coy vixen of Chicago is so willing to plug the written word. I am, I am. It proves that people who watch daytime television can, indeed, read.

Actually, there is an increasing synergy (that’s my newest Vocabulary Builder word and I intend to beat it to death) between the boob tube and books. The *New York Times* recently reported that the publishing industry, suffering a sluggish year, is turning increasingly to television for promotional help.

Some of the biggest promotional opportunities are pseudonews shows like “20/20,” “Dateline NBC,” and even “60 Minutes.” All these shows have used and been used in the promotion of books by celebrities, news figures, or politicians.

*Times* reporter Doreen Carvajal reported that the competition for high-profile interviews has reached the point that formal agreements are now being drafted between the television shows and authors. Such deals, she says, “can dictate the length and date of an author’s appearance, the selection of correspondents, or limits on when an author’s critics can be interviewed.”

Nobody has yet been caught paying, either for an interview or for exposure on the air, but clearly we are talking about the potential.

Think about it: how much would a publisher pay to get a book selected for Oprah’s Book Club?

We live in an era of the best mass culture that money can buy.

How the Other Half Lives

The Sunday *New York Times* Money and Business section has created a voyeuristic little feature called “Talking Money with...” which lets us look at the balance sheets and lifestyles of some fascinating folks, including star writers.

The first article that caught my eye involved Robin Cook, the medical thriller writer, who was very candid about his net worth and income. I don’t remember all the gory details, but he’s filthy. Fifteen million sticks in my mind. That’s dollars, not yen.

It also seems Cook doesn’t invest much, except in houses. He has three or four, each worth millions, in New York, in Boston, and in Florida.

Happy Birthday

Cinderella is three hundred years old.

That’s right. The comely little wench slipped into the cultural mainstream just as the 17th century was coming to a close. This anniversary was brought to my attention by a writer named Joan Gould, who penned an essay called “Midnight’s Child” in the *New York Times Book Review* recently.

Gould says the story of the female who entrapped Prince Charming with her glass slipper was included in a collection of eight tales published in 1797 in Paris under an untranslatable title that seems to have something to do with time and morality. The subtitle of the collection was what stuck: *Contes de Ma Mere l’Oye*, or *Stories of My Mother Goose*.
In addition to the original tale of female transformation, the Goose stories included "Puss in Boots," "Bluebeard," "Little Red Riding Hood," and several other, less memorable yarns. Gould says the stories are attributed to one Charles Perrault, a writer about whom little is known.

However, I have it on good authority that Perrault was actually the assigned pen name of a middle-class Parisian housewife named Bernadette Avec Moi. Ms. Avec Moi got her start writing tip-sheet paperback romances for a penny-pinching Swiss publisher with subsidiaries in most of the countries of the civilized world. At that time, of course, the civilized world only consisted of England, France, Poland, and a few other places that had printing presses.

Bernadette actually wrote hundreds of these little morality tales, but since they were published on paper that would make Big Chief Tablets look like fine vellum, few have survived.

Sadly, she died a pauper after her publisher blacklisted her for refusing to give them all moral rights to her morality stories, in the universe both known and unknown, forever and ever, amen.

Cinderella's creator didn't know about work-for-hire clauses and copyright infringement. She didn't have a good network of fellow authors, like we do in Novelists, Inc. She didn't fight for her rights as a lowly scrivener.

On the other hand, if you can crank out four gems like the Goose tales, how much backlist do you need?

(The other interesting tidbit from the Gould essay was that many experts, including Balzac and Sigmund Freud, believe that Perrault-Avec Moi was the victim of bad translations. These experts claim that Cinderella's "glass" slipper was actually a "fur slipper.

(Makes you a bit more aware of your metaphors, doesn't it?)

It's the Little Things

Leafing back through material that didn't make the column last year, I ran across a little item from PW that took on more interest as I thought about it again.

The item involved a business alliance between Bantam Doubleday Dell and WaterBrook Press.

WaterBrook, located in Sisters, Oregon, a town that's even smaller than the one where I live, will function as an autonomous subsidiary of BDD, which is controlled by Bertelsmann, a German firm. It will have its own list and sales force and is expected to put out 100 titles per year.

Now, this represents real publishing progress, it seems to me. Sisters, Oregon is one of those "fly-over" places New Yorkers like to talk about. It is quite a long distance from Manhattan, yet it will now have its chance to contribute to American culture. I'm all in favor of cultural diversity.

Oh, did I mention WaterBrooks' list? PW described it as a publisher of "inspirational, fiction, marriage and family, popular theology and practical Bible study" books.

I left the church a long time ago, so I'm not a big reader of such categories, but I am still intrigued by the BDD move. It says the "bigs" are being forced to embrace cultural influences that are not defined and approved by Manhattan.

I have several recurrent crusades in this space. One of them is my Quixotic attempts to unhorse New York as sole arbiter of cultural values in America. New York is a fine and powerful place, but it is not the only place. That's particularly important for story-tellers to remember, since our craft brings megabucks to New York publishing, but is often overlooked by Manhattan's maven of litrachur.

I know, I know, I can become a bit of a bore on this subject, but it's important, damn it, important, particularly to story-tellers living in Fly-over Land. (All the country between La-La Land and The Big Apple.)

Novelists, Inc. is still the single most democratic and genre-diverse writers' organization in the country. We must contend with New York, but nearly all of us do so from afar. Sometimes that distance makes us vulnerable. (That's a way of saying I feel vulnerable.) So when I run across a tidbit like the one involving WaterBrook, I pass it along.

(Additional comment: I wonder if there's any significance to the fact that Bertelsmann, BDD's parent, is the world's largest publisher of Bibles and hymnals?)

The Best and Worst of Times

Next time you feel really dejected about the sad state of our business, just remember that you aren't alone, and the things that are going wrong may not be entirely your fault.

(Yes, I am taking the test for my Radio Talk Show Therapist's license next week.)

There is indeed a deep malaise in the popular culture business. Publishers are running in all directions, trying new strategies and new executive alignments; lists are being cut or dropped or changed; authors who have made good livings for years are suddenly finding it impossible to make sales; bookstores and distribution firms are going under.

Three examples of this tectonic shift came to me...
my attention in the last few weeks:

— I got a Christmas card from a writing team who had sold fat glitz novels for years. No more. Now this duo has gone more than three years without placing a manuscript. They regularly made six-figure deals. Now, as one of them said, “We just don’t seem to be able to tell a story New York wants to buy.” The team is living on investments.

But at least they made enough to have investments.

— I heard about a bright and promising genre writer whose first books sold to Hollywood and whose second hardback went to a major reprinter for a half million bucks. This writer’s third book hasn’t drawn a single acceptable paperback bid and author and agent are standing around, scratching their heads, saying, “What the Hell happened?”

— A romance author of my acquaintance reported a real up-and-down Christmas. This writer got the word that Hollywood had green-lighted production of a TV movie based on the first novel in a series. A few days later, the same writer got the word that the publisher didn’t want another book in that same, successful series.

The reason/s? Probably unimportant, maybe even unfathomable. Screwball things are happening and lots of good books and writers are getting chewed up in the process.

Advice? None that I can think of. The best I can offer is a reminder that nobody promised us safety and stability in the writing game. At some important level, the game must be its own reward or it isn’t worth the energy it costs.

That homily doesn’t pay the bills, but it may help in coping with the panic that sets in as one stares at the blank first page of a novel nobody may want to buy. The act of writing must be rewarding, or people like us wouldn’t accept the equivalent of $2.55 an hour to do it.

I’ve come to the conclusion that writers are psychotics. If we ever sat down and really analyzed what we are doing, we’d probably reach for the short-barreled .38 police special we keep in the desk drawer right next to the cheap bourbon and the Prozac.

That’s why I am trying to take to heart a piece of advice my way-cool, postmodern son gave me recently.

“Don’t think, Maxwell,” he said. “You’ll just hurt the team.”

I’m still trying to figure out what it means.

But I like it.

— Evan Maxwell