

NINK

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Editor's Note: There's been a lot of discussion amongst Ninc members about cyberbullying; this article, the first of two parts, will examine the point at which cyberbullying crosses the line into cyberstalking, and what writers can do to protect themselves against it.

Cyberstalking

BY HOLLY JACOBS

Lori Drew was the Missouri mother who set up a fake MySpace account and harassed her teen daughter's ex-friend. While posing as a teen boy, Drew told Megan Meier that the world would be a better place without her and subsequently the girl committed suicide. A grand jury of the United States District Court indicted Drew on four separate counts. She was charged under the Federal Computer Fraud and Abuse Statute for accessing computers without authorization and went to trial. The jury deadlocked on most of the counts, but found her guilty of a misdemeanor. Last summer, US District Judge Wu set the conviction aside, stating he wasn't exonerating Drew of her moral responsibility in Meier's death, but rather felt that if the ruling stood, innocent users of the Internet might be subject to criminal charges. Missouri has since updated its existing harassment law to include harassment via the Internet, rather than simply harassment by writing or phone.

So, what does this have to do with authors?

Representative Linda Sanchez, from California sponsored the Megan Meier Cyberbullying Prevention Act, which, according to OpenCongress.org, "Amends the federal criminal code to impose criminal penalties on anyone who transmits in interstate or foreign commerce a communication intended to coerce, intimidate, harass, or cause substantial emotional distress to another person, using electronic means to support severe, repeated, and hostile behavior."

That does impact us.

A number of writers have recently found themselves being harassed and stalked online. The Internet is a natural medium for writers to use to promote their books and connect with readers. But that accessibility to readers also leaves them vulnerable to situations ranging from simply uncomfortable—a reader venting how much they hate a book/character—to downright scary.

So what constitutes cyberstalking? According to the 1999 Report on cyberstalking from the Attorney General to the Vice President, "there is no *Continued on page 5* ▶

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Address changes may be made on the website.

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

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Introducing...

The following authors have applied for membership in Ninc and are now presented by the Membership Committee to the members. If no legitimate objections are lodged with the Membership Committee within 15 days of this NINK issue, these authors shall be accepted as members of Ninc. For further information or to recommend eligible writers, contact:

Membership Chair: JoAnn Grote
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Ninc has room to grow...

Recommend membership to *your* colleagues.
Prospective members may apply online at
<http://www.Ninc.com>.

Refer members at Ninc.com. Go to Members Only, "Member Services" and click "Refer a New Member to Ninc."
Take Ninc brochures to conferences.
Email Pari Taichert with your mailing address and requested number of booklets.
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Ninc Statement of Principle.

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

Can Knowing Too Much about Publishing Be a Problem? (Part 2)

Yes. Knowing too much about publishing can be a problem. Creatively.

Last month, I talked about how learning as much as I could over the years had led to my gradually taking more and more control over the only thing outside the manuscript itself possible for most authors: the look of the package. Cover art concepts and design, title, cover copy, and so on. I did that not because I doubted the professional abilities of those employed by my publisher to do their work, but because I had very strong feelings about how I believed my books should look, as well as some even stronger feelings about things I did not want to see.

So that sort of thing, plus understanding the meaning of the contracts I signed, drove me to learn as much as I could over the years.

Did that knowledge challenge my creativity? Sure. Because the more you learn about publishing, the more you truly begin to understand the odds stacked against any one author not only publishing consistently over years, but doing so with growing success in an ever-changing marketplace.

We all understand that much, especially now. You don't even have to know much about publishing to feel the changes in the air. The whole industry is shifting and seeking to evolve, maybe to reinvent itself, and for most of us the ground beneath our feet is about as stable as quicksand.

But we, as a rule and especially as Ninc members, do know an awful lot about how publishing works. And a lot of us have had careers spanning (gulp) decades rather than years. So we don't have the luxury of ignorance. What we do have is experience — sometimes bitter — and endurance. And fear.

Some of the fear comes from knowledge of publishing, unfortunately. Because we've learned about those odds against us, we know about the quicksand under our feet, we're keenly aware of just how lucky we are to have a contract — and we're afraid to lose what we have.

So we compromise, some of us. We give in to a pushy editor who's insistent on changes we know in our guts will totally change, if not ruin, our vision of what our work should be. We sign contracts riddled with clauses which are, if not downright illegal, certainly unfair to us as creators of the intellectual property our publishers have licensed. We wait an unconscionably long time to get paid for our efforts, accepting the excuses or just business-as-usual routine of international corporations that most certainly pay their salaried employees promptly.

And we struggle creatively. Some of us follow our noses, trying to ignore the trends, the tendency of publishers to want a "kind" of book or story because they've had great (even monster) success with a book or two. Some of us watch the market like hawks and seek ways to produce what's selling best without sacrificing too much of ourselves in the process. And some of us cave, in large and small ways, compromising who we are or who we want to be because a compromise means another contract, another check.

Another chance.

Maybe it's another chance at the brass ring, or maybe it's just another chance to keep publishing, to keep honing your work in order to reach some personal goal you set for yourself. Maybe you're the primary breadwinner, and you really don't have many choices. But no matter what the reason, we all struggle creatively to produce the best books we possibly can, while dealing with the forces outside us pushing us to change this word or that line or the latest idea so that it "fits" the current marketplace.

Forces pushing us to change who we are. ▶

President's Voice

For those of you who are relatively new to publishing, with only a few books and a few years under your belts, I wish I could say it gets easier. But you're a

Ninc member, and because we discuss many things frankly, on the Ninlink and in the pages of this newsletter and at our conferences, you know better. You know it doesn't get easier in any sense, except perhaps in the simple mechanics of writing. Everything else ... not so much.

Yes, knowing "too much" about publishing can affect you, and not in a good way. It can cause you to doubt yourself even more than creative people usually doubt themselves. It can cause you to make decisions based out of fear. It can cause you to struggle to produce work because the market wants it, not because you want to write it. And it can, even unconsciously, perhaps always unconsciously, color the work you produce even when you believe you aren't being influenced.

But here's the thing. We're commercial novelists. As a rule, we write books we hope will reach the largest possible audience, and all we can really do is hope we can produce that honest work without making too many compromises along the way. Career compromises and creative compromises. We struggle with that, and for many of us it's a constant struggle.

For myself, I choose to see that struggle as a challenge. No matter what forces are pushing and tugging and muttering insistently in my ear, I can still disappear into my book and focus on producing the best story I possibly can. I don't "brainstorm" ideas with my agent or editors because, quite frankly, I don't want their input at that stage. It's my idea, my book, and I have to write it my way. Once I'm done, once that polished draft is complete, the story out of my head and on paper, then I want them to help me make it better.

I believe that's the way it should work. But every writer has their own view of what works for them. And that's the way it should be.

Understand publishing. Make that understanding work for you rather than against you. Because it's your career. And nobody else is ever going to care as much about your career as you do.

— Kay Hooper

Business Briefs

Compiled by Sally Hawkes

New Kirus Owner

Chairman emeritus of Simon Property Group and owner of the Indiana Pacers as well as co-owner of Tecolote Books in Montecito, CA, Herb Simon has purchased *Kirkus Reviews*. Simon reportedly will continue to publish *Kirkus* as a print magazine while beefing up its digital offerings.

Edelstein Named Digital Content & Marketing Manager at MacMillan Audio

Ninc member Liz Edelstein has been named the new digital content & marketing manager at Macmillan Audio. Edelstein once served as senior program manager at America Online/Netscape Communications and earned an MBA from The Anderson School at UCLA. Writing under the pseudonym Liz Maverick, Edelstein is the author of twelve romance/science fiction novels.

Copia attempts to reproduce Book Browsing

DMC Worldwide is promoting Copia, a new Web site offering a reading social network platform and e-commerce that includes a suite of linked digital reading devices, scheduled to hit the market this spring. Copia offers a distinctive online graphical display as well as a search infrastructure that will allow readers to discuss and compare books, but that also attempts to visually recreate book browsing. Copia will have contacts with Facebook and Twitter.

Cyberstalking

Continued from page 1 ▶

universally accepted definition of cyberstalking, the term is used in this report to refer to the use of the Internet, e-mail, or other electronic communications devices to stalk another person. Stalking generally involves harassing or threatening behavior that an individual engages in repeatedly, such as following a person, appearing at a person's home or place of business, making harassing phone calls, leaving written messages or objects, or vandalizing a person's property.

"Most stalking laws require that the perpetrator make a credible threat of violence against the victim; others include threats against the victim's immediate family; and still others require only that the alleged stalker's course of conduct constitute an implied threat. While some conduct involving annoying or menacing behavior might fall short of illegal stalking, such behavior may be a prelude to stalking and violence and should be treated seriously." Then Vice President Al Gore took the threat seriously, saying, "Make no mistake: this kind of harassment [cyberstalking] can be as frightening and as real as being followed and watched in your neighborhood or in your home."

I thought that writing the legal part of this two-part series on cyberbullying would be the easy part. I'm married to a police officer, and my brother is a State Police officer. I was sure they could give me great resources. And they did. But what I found was that the laws dealing with cyberstalking are anything but uniform throughout the US and other countries, therefore they're anything but easy. And given the nature of the Internet, that lack of uniformity can make charging and prosecuting cyberstalking difficult because the victim and perpetrator can have cities, states or even countries between them.

For starters, the notion of stalking as a crime is a relatively new one. The first traditional stalking law, enacted in California in 1990, is only two decades old. Since then, the Internet has grown exponentially, giving stalkers an entirely new way to harass victims. According to Nielson Online: in 2000, 44.1% of the US population was online. As of August of 2009, 74.1% of the population was online. A Bureau of Justice Statistics Special Report: National Crime Victimization Survey in the United States, published that same year, noted that, "during a 12-month period an estimated 14 out of 1,000 persons age 18 or older were victims of stalking." One in four of those victims reported some form of online harassment either by email (83%) or instant messaging (35%).

According to Chapter 22 Supplement, Section 2 of the Office of Justice Programs, "Stalking has now taken a turn into cyberspace on the information superhighway. ...Although some cyberstalking conduct involving annoying or menacing behavior might fall short of illegal stalking under current laws, such behavior may be a prelude to real-life stalking and violence and should be treated seriously. Cyberstalking has the potential to move from a URL address to an IRL (in real life) address—from virtual to actual."

There is no universal standard for what constitutes stalking or cyberstalking, and law enforcement's inability to "pin" cyberstalking to a physical location, presents unique challenges to law enforcement and lawmakers. Each state has its own laws, as does each local government. It is a complicated crime to defend against and to prosecute. Corporal Robert Erdely of the Computer Crime Unit Supervisor of the Pennsylvania State Police Department's Bureau of Criminal Investigation talked about those difficulties. He said harassment is a "repeated action that serves no legitimate purpose," then adds that most of the laws on the books for harassment and stalking were written before the advent of our new technologies. "They're using antiquated laws and trying to adapt them to new technology, and as the Lori Drew trial shows, that system's not working." Erdely continued, "We're forced to try and adapt the current laws to new and ever evolving technology. Most of my workload deals with child pornography. My unit hasn't dealt with a cyberstalking case."

In my hometown of Erie, PA, Det. Jennifer J. Runstedler of the District Attorney's Office, deals with these kind of cases. She has investigated and/or charged people in crimes related to computers including hacking, harassment, ▶

Laws dealing with cyberstalking are anything but uniform throughout the US and other countries, therefore they're anything but easy. And given the nature of the Internet, that lack of uniformity can make charging and prosecuting cyberstalking difficult because the victim and perpetrator can have cities, states or even countries between them.

identity theft, software piracy, child pornography, child enticement, stalking and domestic violence, violation of PFA/contempt order, terroristic threats, access device fraud, disorderly conduct, unlawful use of a computer and computer trespass.

According to Runstedler, in 2002 in Pennsylvania, “stalking offense was broken out into its own section 18 Pa. C. S. § 2709.1. ... Prosecuting stalking requires proof of three elements:

“1. Specific conduct by the offender: Communicates- to convey a message without intent of legitimate communication or address by oral, nonverbal, written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, wireless communication or similar transmission.

“2. Directed at the victim: Course of conduct, a pattern of actions composed of more than one act over a period of time, however short. This includes, lewd, lascivious, threatening, or obscene words, language, drawings, caricatures or actions, either in person or anonymously. Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct.

“3. Intent: to cause emotional distress, a temporary or permanent state of mental anguish. Does not require physical contact ... Does not have to be felt by the victim as long as the defendant intended to cause emotional distress... Conduct seen as a whole to cause emotional distress to a reasonable person that would place the victim in fear of bodily injury or substantial emotional distress.”

That’s the applicable law in Pennsylvania. It’s the parameters my local authorities work within. But that is the point—the Internet is anything but local. It gives people the opportunity to have friends around the world. It gives writers the ability to network with readers worldwide. That’s wonderful. But conversely, it gives disturbed people a chance to harass or stalk individuals who would have been beyond their reach just a decade or so ago.

Some local areas and states still have no specific laws on cyber-harassment/cyberstalking. Even when they do, law enforcement’s hands might still be tied. Erdely said, “This isn’t Minority Report. I can’t arrest somebody for a crime they haven’t committed.” That means, the police are forced to wait until a situation escalates. Erdely pointed out that if there was a perfect system to deal with harassment and stalking, no celebrity would be hounded by paparazzi.

Since there’s no perfect system, the best thing you can do is be smart and use common sense.

Keep yourself as private as possible. Rent a PO Box for fan letters, or simply let readers send the letters to your publisher. With online social networks, this can be difficult, but still doable. Don’t list your address, your phone number, your birth year.

Do a web-check. WhitePages.com is an online phone directory. If you’re listed there, you can request to have the listing removed. Do this periodically. Your address and number may crop up repeatedly. Enter your URL in Whois.com and make sure your home address doesn’t come up. If it does, change that address to a PO Box, or you can pay to have it unlisted.

While readers enjoy Tweets and status updates, try not to share too much personal information. I talk about basket-weaving and what I’m making for dinner tonight, not that I’m vacationing and leaving the house unattended. I talk about my dogs, not my kids. I say that I have four kids in public, but I don’t say their names or ages.

If you find yourself a victim of cyber-harassment/stalking, Det. Runstadler offered a list of steps to take. “If a victim receives a threatening, or harassing e-mail, be sure to save the message and print the entire message, showing full headers. Call your local police department immediately file a report at the very least to have on file. In the case of an Instant Message, Highlight and Copy the message, then Save it to a word processing file. Once it has been removed from the screen, it may not be retrievable. If no other option is available take a photo or video of the screen.

“Other useful information to report to law enforcement to help the investigation is screen names, passwords, website addresses, Date and Time of the incident (crucial), any chat room names, news group names, and e-mail domains (ex: jr@ gmail.com)

“Most of the digital evidence I work with involves the use of computers, PDAs, cell phones, cameras, CD’s, DVD’s, USB drives, smart cards and video gaming devices.”

It’s a brave new world out there. Readers have more access to authors than ever. In some ways, that’s a lovely development. But authors walk a fine line between engaging readers and putting themselves at risk. Always err on the side of caution, and if you do run into a problem, take immediate action before it escalates.

Award-winning author Holly Jacobs has sold 44 books that have been published in more than 25 countries and has written more than a dozen articles for national publications.



Five Reasons to NOT Attend the October Conference ... and Why They're All Hooey

**KASEY MICHAELS
CONFERENCE CHAIR**

Number One: *Unless I have a book to promote, there is no reason for me to attend the conference.*

Try running around a Ninc conference handing out bookmarks and searching for fans, and you're in for a big disappointment (and some strange looks from other attendees). Ninc conferences are not for fans, not for cultivating a reader base. Ninc conferences are for published authors. Working writers.

Number Two: *Attending a conference to learn about the future of the publishing business does me no good, as I have no control over the business.*

We have no control over the weather, but we sure want to get the best heads-up we can as to whether or not we may need a raincoat. Otherwise, you know, we could get "soaked."

Number Three: *Print books, e-books, la-de-da. We've already seen it all, what's there to learn?*

Ever hear about the guy who supposedly resigned from the U.S. Patent Office in the late 1800s, because he was sure that everything that could be invented already had been invented?

Number Four: *I can learn anything I need to know online.*

Right, and brain surgeons can learn it all from a book, too. Also, nifty as online research is, first you



have to know what you're looking for. It's learning the answers to questions you never thought to ask that make a Ninc conference so valuable.

Number Five: *I can't justify spending money and time for a conference just to mingle and brainstorm with my peers, recharge my creative batteries, rub shoulders with industry professionals — that's just self-indulgent.*

Really? It's okay to go to a conference if you have a new book to promote, but it's not okay to go to a conference for you? That book is worth so much ... and you're worth so little? You need a book in your hand to *justify* spending money and time learning about your business, taking care of you, the writer? It's a bad thing to get away from that blinking cursor for a few days and be with other writers, network with industry types, talk about the business, laugh and relax and return home fresh, filled with new ideas, and eager to get to work? *Really?*

Brainstorming: The Future Of Publishing — because writers may embrace the past for their stories, but not for their careers.

Brainstorming On The Beach — because we may write alone, but we can't exist in a vacuum.

October 7 –10, 2010
Tradewinds Island Grand,
St. Pete Beach, Florida

Room Rate: \$129 plus tax

<http://www.tradewindsresort.com/properties/island-grand.aspx>

Conference fee (includes *Brainstorming: The Future of Publishing*): \$255. EZ payment plan: three payments of \$85 between now and July 31. Ninc keeps its conference fees low because we know writers need a quality conference *and* reasonable costs.

Sign up today at <http://www.ninc.com>. Keep checking Ninlink and the website for additions to the list of invited speakers and workshop topics. Come to Florida in October, and be a part of this groundbreaking conference.

Bring your questions, your imagination, and your suntan oil!

Pulling the Plug on Piracy

BY PAT MCLINN

“Follow the money” is good advice, but it needs a second line when it comes to authors fighting piracy:

Follow the money
Then pull the plug.

That was my goal after I saw (thanks to an alert on NinLink) that the website 4shared.com had pirated copies of several of my books available for free download.

I wasn't happy.

Especially when I saw that just above where people clicked to download this copyright-infringing material was a banner ad from AT&T.

I had my doubts that a website that makes it easy for pirates to upload material they didn't own yet makes the rightful copyright holder jump through hoops to have it removed would be swayed by even the most cogent remarks about intellectual property. (Although, it is interesting to note that 4shared.com has its site copyrighted.)

But AT&T, I thought, might be a different story. AT&T certainly has a large crop of intellectual property that it would like to keep from being pirated; perhaps we had common concerns.

I started Googling for AT&T executives involved in advertising. Armed with a few names, I searched for phone numbers. I called the office of a senior vice president for advertising and marketing, and reached her executive assistant.

I explained that I wanted to talk to her about AT&T advertising on a website that was infringing on copyrights. I was careful to not be accusatory, but rather expressed my disappointment that AT&T was adding legitimacy to an enterprise that was making possible widespread copyright infringement. I pointed out that it wasn't only my copyrights that were affected, but also those of members of the international organization for multi-published popular fiction authors where I had first learned of the problem. Finally, I mentioned I was blogging on the topic, and wanted their response.

In other words, I helped them see that they had a potential public relations problem.

The senior vice president was out of town until the next week.

So the next week, I called back. I was sent on to a communications specialist, who sent me to another communications specialist. *Uh-oh, I thought, the run-around . . .* I had made a list of the names and phone numbers for the senior vice president's boss, and the boss's boss; I was prepared to go all the way up the food chain if necessary.

But it wasn't a run-around. Communications Specialist No. 1 called me back. And she gave me the great news that AT&T had pulled its ad from the site and—even better!—was revamping its guidelines to let it be known the company did not want to advertise on sites infringing on copyright.

AT&T acted decisively and with stunning speed, and they deserve a huge pat on the back.

I had also started tracking down execs of Toyota, Crate & Barrel, Starbucks and GM, who also had ads on the site.

As I talked to them, I emphasized how quickly AT&T had moved to end an association with copyright infringement. I encouraged them to do the same—to pull their ads and to institute policies to guard against ever again lending their good names to sites that didn't safeguard others' intellectual property.

To date, all but GM have responded by pulling their ads and by expressing support for such guidelines.

And while I'm still calling GM weekly, I have not seen a GM ad on the site.

(For those who want additional details on this story, read the Ninc blog that I posted January 26, along with later updates: <http://www.ninc.com/blog/index.php/archives/a-call-to-protect-copyrights>)

Did this effort get rid of 4shared.com? No (and each author should check if your works are there and demand they be removed and that no works by you ever be allowed to be uploaded there.)

However, it did strip away a veneer of legitimacy the site had gained from having mainstream advertisers on its pages. Now when I check the site, the ads I see are either internal 4shared.com ads or otherwise sleazy enterprises. (There's a potential "but" attached to that I'll get to in a bit.)

I also alerted those mainstream advertisers to what was happening, pointing out the potential damage to their brand images.

But how could the advertisers not have known?

It turns out that most advertisers don't contract directly with websites. Understandable, with a gazillion sites out there. Instead, advertisers contract with what are known as ad networks. The advertisers tell the ad network what type of market(s) they're trying to reach and set limitations about what sort of sites they do not want to advertise on. The ad networks, which have signed up a percentage of those gazillion sites, then put together a package of website placements designed to meet those requirements.

And that's where authors can have a direct impact on what sometimes seems to be an impossible fight against piracy. By making mainstream advertisers, such as AT & T, aware of when their products are being advertised on sites that infringe on intellectual property rights and supporting their efforts to keep their advertising guidelines up to date. Those guidelines go to all the ad networks they use.

If a number of large advertisers specify no-infringing-websites, you can bet the ad networks are going to notice. The smart ones will save themselves a lot of trouble by proactively dropping pirate websites.

To help that along, I'm compiling contact info on leading ad networks. Google, my phone and I are going to spend some quality time together in the near future.

How about you, fellow Ninc members? . . .

WHAT YOU CAN DO

There are how-to tips in the original blog if you would be willing to contact any mainstream advertisers yourself. If you're not, there are still three things each of you could do that would be so helpful.

- 1) Check 4shared.com for any of your material, and go through their process of having it removed. State that you are specifically withholding permission for any works by you to ever be uploaded there.
- 2) Note any mainstream advertisers on any page you visit. E-mail me (PMcLinn@aol.com) with the name of the advertiser, a brief description of the ad, the url of the page, the date and the time (with time zone, please). The "but" mentioned earlier about my not seeing mainstream ads on 4shared.com any more is this: Two people clicking on the same page at the same time can see different ads, because the where-you've-clicked tracking allows narrow targeting of ads. So the fact that I'm not seeing mainstream ads doesn't mean they are entirely gone. So I really need your help on this.
- 3) Send me the names of any other sites that are infringing on copyrights AND have mainstream advertisers, along with the same information as above on the specific ads.

Together, we can pull more plugs on the flow of money to the pirates.

Writing as Patricia McLinn, Pat has 25 published novels. Many are available as e-books at www.AWritersWork.com, the site where the works of proven authors are sold directly to readers.

E-book Sales Continue to Rise

Based on reporting from 13 publishers, The Association of American Publishers (AAP) reports a dramatic increase in e-books sales during 2009. 176.6% in 2009, to \$169.5 million. This puts the e-book share of trade sale at 3.3%, an increase from 2008's 1.2%. Among the print trade segment of the market, sales were down in trade paperback, mass market paperback and children's hardcovers but up in adult hardcover and children's paperbacks.

OverDrive Expanding

Several new additions were announced for the company that has continued to expand each year. Content Reserve Plus, the third party digital catalog will offer ebooks, music, audio books and video to its retail and library account with over 400,000 titles. OverDrive Reciprocal will give reading a portal solution to accessing title, a one stop locator and OverDrive First Gear offers DRM-free ebooks and audio books, OverDrive Digital Kiosks and Library ebook Devices gives school and libraries a new distribution method. Currently OverDrive services over 10,000 libraries, schools and retailers.



Ask the Agent...

JoAnna Stamfel-Volpe



Questions on proposals and switching agents

Question: *When an established author is sending a proposal to a potential new agent, what's better: Opening chapters plus a detailed synopsis of 10+ pages? Or, opening chapters plus a one- or two-page pitch? Or, all three, chapters, synopsis, and pitch?*

Also: *What are the does and don'ts of switching agents?*

This month's questions are fairly straightforward, and I hope my answers help!

Starting with question *numero uno*: When an established author is sending a proposal to a potential new agent, they should still follow the agent guidelines, whatever those may be—it all depends on the agent. And if you're already corresponding with said agent, just ask them what they'd like to see.

As for the Dos and Don'ts of switching agents, for the most part the Golden Rule applies: if you treat others as you want to be treated, you should be fine. Just be honest with the agents during the process. Make sure that your current agent and you have both confirmed closing your partnership before you start querying other agents. If you don't, it will just leave things poorly, and burn some bridges in the process. It might give your new agent a bad impression of you if they find out down the road.

Just as with any other query, it would be best to inform all interested agents that it is a multiple submission. Most other agents will want to know why you left your previous agent, what your previous sales records are, etc. It's in your best interest to answer these honestly, because the agent can find out anyway if they wanted to do the research. But I know for my part, I'd like to hear it from you. Not because it will sway my decision on whether or not to work with you, but it will let me know what you're looking for in your relationship with your agent (and what you're not looking for), and it will also give me an idea of where your books stand in the market, and what our next steps should be to bring you back into the game (if your sales are in a downturn).

It all depends on the writer and the agent, but questions like these shouldn't make you nervous. You want your relationship with your agent to be like any other relationship: honest and open communication. At least I hope you do! So you shouldn't start off a potential author-agent relationship by omitting information, or worse yet—outright lying (it happens). And of course all of this goes for the agent too! ▲

Ask the Lawyer...

Q:- The trend of “all rights now and in the future we haven't thought of yet” is growing and I'm very uncomfortable with it. I'm not signing something that holds me to a clause they can make up in the future and frankly, I'll be interested to see how that aspect plays out in several years when they attempt to use it — from an enforcement and then legal context — I'm not sure I can “knowingly” sign a contract for something no one has thought of yet. How can an author get legal advice on something that does not yet exist?

A: For me, it depends whether the “now known or hereafter devised” language occurs in the general grant of rights, or in a more specific grant of ebook or audio rights.

In some major publishers' contract forms (e.g. Random House and Penguin) the expansive language occurs only with respect to ebook or audio rights. I have no real problem with that, as it seems to me to be obvious that gadgets are continually evolving and thus that the publisher needs the flexibility to present the book in whichever form the market is prepared to support. Ten years ago or so, I represented the manufacturer of the Rocket eBook Reader (also known as the Gemstar or RCA Reader), and tried to persuade publishers to make their books available in the HTML format we needed for presentation on our device, which had a black-and-white backlit screen similar to a primitive netbook. Had the publishers described that device specifically in their author contracts, they would not have had the rights necessary to provide the same books in files which could be read on the more modern Sony Reader, Kindle or Apple iPad. Similarly, audio books are now sold via file download, as well as on CDs and tape cassettes. Without the “now known or hereafter devised” language, audio publishers would be unable to keep up with those technology changes.

I try to make sure that the expansive language is accompanied by limiting words or phrases, such as “verbatim,” “designed to be read” or “intended for listening, and “without any visual or audio elements other than those included in the print version(s) of the Book.”

Where, on the other hand, the “now known or hereafter devised” language occurs in a general grant of rights, such as “Author hereby grants the Publisher the right to publish the Work in all media, now or hereafter devised,” I will insist on major changes, or I will recommend that the author walk away and find a different publisher. Why? Because in that context the author is giving up his motion picture rights, live stage rights, and all other rights imaginable.

So there I will counteroffer, “Author grants to Publisher the right to publish the Work in printed book form, in verbatim audiobook and ebook forms designed respectively for listening and reading (as more specifically defined below), and in the other formats and media explicitly set forth in paragraphs _ and _ below. All other rights are hereby reserved to the Author.”

You'd be surprised how reasonable publishers' contract administrators can be when presented with such a counteroffer. You then find yourself in a discussion of exactly which rights the publisher actually requires, rather than a discussion about the publisher's original sweeping attempt to grab all rights.

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Not Your Usual Writing Advice— Going into the Silence

BY JOANN GROTE

“In the greatest confusion there is still an open channel to the soul...The channel is always there, and it is our business to keep it open, to have access to the deepest part of ourselves.”

— Saul Bellow



What do Oprah, the author of the *Mars and Venus* books, Jack Canfield of *Chicken Soup for the Soul* series, and motivational speaker Brian Tracy have in common? All four say their careers took off when they began taking time to “go into the silence” and *listening*. Listening involves recognizing and paying attention to the physical feelings and emotions that accompany a go-ahead on an idea or a halt to it.

If “listening” conjures up images of Eastern monks spending hours a day in uncomfortable positions to clear their minds and open themselves to God or the Universe’s voice, never fear. There are ways to “listen” that fit more easily into our fast-moving western culture.

Walking: “No one needs to know that you’ve shut the world out and are meditating as you stroll down the street,” says Sarah Ban Breathnach, author of *Simple Abundance*. Author of *The Artist’s Way*, Julia Cameron describes her daily walks as a means of inviting new directions for her writing life.

Journaling: Romance author Colleen Reece uses a form of prayer journaling she calls “letters to God.” “I sit quietly for a few moments and begin writing whatever comes to mind. Sometimes it is hymns. Sometimes scriptures. Sometimes impressions. No audible voices, just what I feel. I often find myself writing answers to questions I’ve expressed, or writing things that show me God is in control, not me. It’s nothing mystic. Just a method that brings peace and great joy. I’ve never chosen not to heed the silent counsel I feel comes to me.”

Julia Cameron uses what she calls Morning Pages—three pages of stream-of-consciousness writing in long-hand. Cameron recommends, “Ask for answers in the evening; listen for the answers in the morning as you write.”

Dreaming. Dreams are another source of information. To incubate a dream, dream experts suggest working on a problem in waking life, filling your mind with the details related to the problem. Narrow the problem down to one question — the more specific the better. You may wish to write the question down. Think on it, perhaps repeating the question in your mind, until you fall asleep. Dreams are notorious for slipping quickly away upon awakening, so keep a pad and pen beside your bed. “If you dream something that feels like a plot,” author Judy Gill warns “do not speak or allow anyone to speak to you until you have the gist of it written down.”

Still, if something seems a struggle, it doesn’t necessarily mean you’re taking the wrong path. It may mean something as simple as this direction needs a little fine-tuning to work best. Ask what that fine-tuning might involve, and listen for the answer.

I’m working on a manuscript with a story line more complex than anything I’ve written before, and it’s for a market that’s new to me. Like so many established writers who feel drawn to try something new, I’ve wondered whether I’m making a wise choice in taking the time and effort to write this story. I haven’t yet titled my story and use “Earrings,” which have an important place in my story, as my working title. In a dream, Debbie Macomber — a writer I admire for her stories and her business acumen — hands me a pair of earrings. I interpret the dream as saying I’m making the right choice in writing the story.

Finally, listening can also tell you if you’re moving in the wrong direction. Sticking with a project that causes such discomfort takes a lot of energy away from the creative process; energy that is freed to feed a project you approach with enthusiasm. Last month Laura Resnick wrote in her column about the physical manifestations she experienced in the midst of a difficult relationship with an editor. Headaches, backaches, insomnia and illnesses can all be symptoms we aren’t acting in our best interest. Sometimes just paying attention to whether you feel peace, joy or trepidation about an idea or direction is all the listening you need to do to make a wise decision.

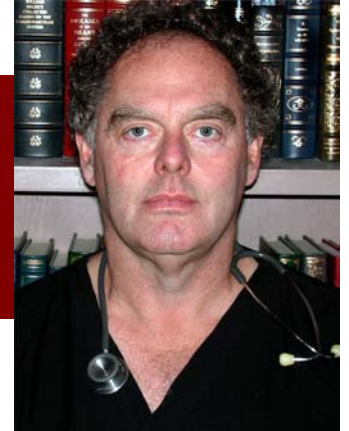
If you're wondering what direction to take next in your career or your current work-in-process, try one of the above methods to find answers. Walk, write letters to God, do Morning Pages, notice your dreams, pay attention to how your body feels. Ask. Listen. Then follow what you hear that takes you in the direction of joy, energy, and peace.



What Injuries Can Occur With a Car Bomb?

Forensic Files

By D. P. Lyle, MD



Q: *How far away would you have to be from a car bomb (the kind that is detonated by starting the car) to survive with injuries and what sorts of injuries might you sustain in the blast?*

A: This is a question that is virtually impossible to answer with any degree of accuracy. There are entirely too many variables involved. How big is the bomb? How big is the car? How close is close? What direction does the shrapnel fly and in which direction is the concussive force of the bomb directed? Are there any intervening walls or structures that might dampen the concussive force or block or redirect the shrapnel? All of these variables and many more must be taken into account before any prediction of injury to a particular individual can be guessed at.

Let's look at a few general principles, however. Big bombs cause big problems and little bombs cause less. A large bomb can produce a massive concussive force that can spread out for many yards in every direction. It can also produce shrapnel that can fly many hundreds of feet in any direction. A small bomb, needless to say, would cause much less concussive force and much less shrapnel spread, and the shrapnel would move at a slower rate and therefore do less damage.

Let's assume that this is a moderate sized bomb and the victim is standing close enough to receive injuries from the explosion. There are several types of injuries that can occur with a bomb.

If the person is close enough and the bomb is of the type that produces a great deal of heat, then burns over the skin and face can occur and even the victim's clothing could be set on fire. This could produce severe injury to the flesh and the lungs.

The concussive force of a bomb is simply a wave of air molecules that are accelerated to very high speed, which can strike an object and cause trauma. This is why a bomb will destroy a wall or a building and even kill a person within the concussive umbrella. If the force is strong enough it can burst eardrums, cause sinuses within the nose and face to bleed, rupture the lungs, rupture the abdomen and internal organs, and many other nasty injuries. If the person is slightly further away or if the concussive force is dampened somewhat, then injuries to the eardrums and sinuses may occur but the other more severe injuries to the lungs and internal organs might not occur.

Shrapnel presents a very difficult and dangerous situation. With a car exploding, all types of shrapnel can be fired in every direction. Chunks of metal and glass, complete doors or windows, beams of metal and even the engine can be launched in any direction. The types of injuries that someone would suffer depends upon exactly what strikes them and with what speed and force they are hit. I think it would be obvious that if a car door or engine or some large piece of metal from the car struck someone of very

Continued on page 17 ▶



WRITING is TAXING

By Diane O'Brien Kelly

Personal Holding Company Tax

A while back, in my article entitled “To Inc. or Not to Inc.,” I discussed the pros and cons of incorporating your writing business. If you’ve decided it makes sense to incorporate your writing business, you must next decide which type of corporation to form. Which form you choose can impact the taxes that you owe.

There are two types of corporations – Small Business Corporations (a.k.a. S corporations) and C corporations (so called because the tax laws applying to these entities appear in Subchapter C of the Internal Revenue Code).

An S corporation can have only individuals, estates, and certain types of trusts as shareholders. Partnerships, corporations, and non-resident aliens cannot hold stock in an S corporation. In addition, an S corporation can have no more than 100 shareholders and only one class of stock. These restrictions do not apply to C corporations.

Whether a corporation is an S or a C, it must pay a reasonable salary to shareholders who perform services for the corporation, and payroll taxes must be withheld and paid in to the IRS by the corporation.

The major difference between S corporations and C corporations is their tax structure.

Though an S corporation is required to file a tax return (Form 1120S), no income tax is assessed at the corporate level. Rather, the S corp return serves as an informational return only. Any net earnings of the S corporation that are not paid out to the shareholders in the form of wages are reported to the shareholders on a K-1 form. The shareholders then pay tax on their allocated share of the S corp’s earnings at their individual income tax rates. Tax rate charts appear at the end of this article.

Unlike an S corporation, a C corporation must pay tax on its earnings. However, forming a C corporation can pose the potential for tax savings. By forming a C corporation, the shareholders can spread the corporation’s income between themselves and the corporation, thus keeping more of the income in the lower individual and corporate tax brackets.

Here’s an example to illustrate. Assume a C corporation is owned by one shareholder and that the C corporation earns \$100,000 in net profits. Further assume the C corporation paid a salary of \$50,000 to the shareholder for his or her services and retained the other \$50,000.

Per the proposed 2010 tax rate tables, the shareholder’s 2010 individual tax would be \$6,343.75 assuming, for simplicity’s sake, that the taxpayer is single with no dependents, claims the standard deduction, and has no other income. The C corporation would owe tax of \$7,500 in its \$50,000 share. Thus, total taxes with the income split between the C corp and shareholder would be only \$13,843.75.

Alternatively, if all of the \$100,000 income had been retained in the C corporation, the total tax would be \$22,250. If all of the \$100,000 income had been paid out to the shareholder, the tax would have been \$19,091.25. (Because all of an S corporation’s income is taxed at the shareholder’s individual rates, if the corporation in the above example had been an S corporation, tax of \$19,091.25 would be owed.)

As you can see, the ability to spread the income between a C corp and its shareholders can result in significant tax savings.

But here’s the rub.

Congress realized that people would play this tax avoidance game and believed it was unfair for people to reduce their taxes by forming a closely held C corporation to which the person transfers his or her investments, services, or talents. As a result, Congress enacted the “Personal Holding Company” (PHC) tax.

A C corporation is a PHC if:

- 1) during the last half of the tax year, more than 50% in value of the corporation’s outstanding stock is owned, directly or indirectly, by five or fewer individuals (“the ownership test”); and
- 2) at least 60% of the corporation’s adjusted ordinary gross income for the tax year is from dividends, interest,

rents, and royalties, including copyright royalties (“the income test”).

For purposes of the ownership test, stock owned by certain family members will be treated as if it is owned by one individual, thus making it more likely that the PHC tax will apply.

The PHC tax is a flat 15% tax in addition to the regular corporate income tax rate. The PHC tax applies only to PHC Income (the dividends, interest, rents, and royalties noted above). Thus, this means that the PHC Income of a PHC will be taxed at a minimum rate of 30% (15% lowest corporate rate plus 15% PHC tax). For many taxpayers, this high rate of tax would eliminate any potential benefit of splitting the income between a C corp and themselves. However, if a shareholder of a PHC earns enough other income that they are in an individual tax bracket greater than 30%, some tax savings can still be achieved by the C corp/shareholder income split.

Note, too, that a C corporation can avoid the imposition of the PHC tax by distributing all of its PHC income to its shareholders.

To determine whether forming an S or C corporation might be right for your writing business, consult a trusted tax advisor.

C Corp Income Tax Rates – 2010

Taxable income over	Not over	Tax rate
\$0	\$ 50,000	15%
\$50,000	\$ 75,000	25%
\$75,000	\$100,000	34%
\$100,000	\$335,000	39%
\$335,000	\$10,000,000	34%
\$10,000,000	\$15,000,000	35%
\$15,000,000	\$18,333,333	38%
\$18,333,333	unlimited	35%

Individual Income Tax Rates (Including S Corp Income) – 2010 for Single Filers

Taxable income over	Not over	Tax rate
\$0	\$8,375	10%
\$8,375	\$34,000	15%
\$34,000	\$82,400	25%
\$82,400	\$171,850	28%
\$171,850	\$373,650	33%
\$373,650	unlimited	35%

For further tax tips, check out the “Tax Tidbits” page on Diane’s website, <http://www.dianeobrienkelly.com>. Got a tax question for Diane? Email her at Diane@dianeobrienkelly.com. Your question might be addressed in an upcoming issue.

Forensic Files

Continued from page 15 ▶ high velocity it would most likely kill them instantly and, if not, their injuries would be so severe that without very aggressive medical treatment and luck they would die from these in short order. But what about smaller pieces of glass and metal? These can penetrate the head, the chest, or the abdomen and damage vital organs and lead to death very quickly. Or they can enter the same areas and lead to massive injury and bleeding which can then lead to death in minutes to an hour or so. Or they could simply be flesh wounds and the person could survive but will require surgical repair of the wounds and treatment with antibiotics to prevent secondary infections.

So if you can see almost anything can happen in this type of situation. A big bomb that explodes at a great distance could easily be a clue to a smaller bomb that the person was standing very close to. Any bomb where the concussive force and shrapnel were directed away from the person might produce no injuries while if the victim were standing in the path of the concussive wave and the shrapnel he could be killed instantly. And anywhere in between. This great degree of variation in what actually happens is good for storytelling since it means that you can craft your story almost any way you want.

Website: <http://www.dplylemd.com/>

BLOG: <http://writersforensicsblog.wordpress.com/>

The Mad Scribbler

By Laura Resnick



Aural Snicker's Adventure in Media Tie-In By A. Surreal Nick

“At the nuts and bolts craft level, tie-ins are still not an easy ride. Basic techniques you fall back on in your [original fiction] almost without thinking don’t always work in the shared universe.”

— Karen Traviss, novelist and tie-in writer

A while back, I was approached by an editor from a gaming company and invited to write a tie-in novel for them. Media tie-in novels are based on movies, television shows, or games. Although there’s a market for tie-in fiction in multiple genres, it is most entrenched in the science fiction/fantasy genre. Media tie-in fiction is work-for-hire, meaning that the media company holds all the rights to the book and has full control over its contents; this includes anything that the hired writer creates within the novel, such as new settings or characters.

I knew nothing about the popular fantasy game owned by the company that approached me, and I had no background whatsoever in media tie-in fiction. That was fine, they said. What they wanted was a female fantasy novelist to write about a new female character in their game; they had read a book of mine and thought I might be right for this. Flattery will get an editor everywhere; I wound up accepting the offer (after negotiating the advance upward), and we got to work on the project.

I now proceed cautiously with my anecdotal tale, cleverly masked by my impenetrable pseudonym, because the confidentiality clause in my contract is rather sweeping and vague. Apparently, if I tell you what I know, you’ll have to kill me.

Prior to meeting by phone with the game’s creative team to pose my questions and get their explanations and suggestions, I was given a thick package of background materials. The materials taught me about the world of the game, the premises by which that world operates, and the game’s various established characters, including the protagonist assigned to me.

Since my novel would be part of a series of books following a multi-media story arc planned by the publisher, I was also given a set of requests and suggestions about the plot and story elements for my book. These were clearly presented to me as proposals, not inflexible orders. However, since this was essentially *their* book and part of *their* series arc, I thought it made the most sense to accommodate their story ideas, rather than to discard them and propose new alternatives of my own.

All of the above is why when people ask me how much “artistic freedom” I had in writing the book I consider the question a non-sequitur. It’s like asking me if I liked the way a movie tasted. I think that a writer who wants artistic freedom should write her own original-fiction (which is what I do the vast majority of the time), rather than struggling to get artistic freedom with someone else’s setting, characters, series arc, and

copyrighted material. My role here, as I saw it, was to come up with a novel that incorporated the various elements and events that the publisher wanted to see in it.

In that sense, I think we were all on the same page and the process went well. In most other senses, though, I usually felt like I was writing underwater.

I found that working with a fantasy setting and premises created by someone else felt like writing in another language; I had to pause constantly to check my world-building guide, and I invariably wound up structuring the book on the basis of what I could or could not find there, in much the way that I used to structure all my French and Italian papers in college (I was a languages major) specifically to avoid the grammatical constructions that I didn't know well.

Similarly, if I wanted to make a reference to my protagonist's past or portray qualities that defined her, I had to search through materials from the publisher to make sure I didn't contradict something that was already established about her. Moreover, I found that the established qualities of a gaming character, who may be one-dimensional and relentlessly violent, can be difficult to translate into a compelling protagonist able to carry a novel.

Some of the problems I encountered might not have been an issue if I'd been a long time fan of the franchise or had more familiarity with plans for the series. But much of that information was still under development, subject to change, and only revealed on a "need-to know" basis. Meanwhile, I also found the pace of the project overwhelming; the book was scheduled to be *in stores* less than ten months after my first-ever brainstorming meeting with the publisher. (We made it—but just barely.)

Creative process aside, there were other key ways in which my media tie-in experience has differed from all my original-fiction experiences: I don't hold the copyright to and cannot ever again use any character or setting that I created for the book, unless specifically hired to do so by the same publisher. Since it's not my copyrighted material, I can't post sample text on my website; I can't discuss what little I know about the series arc, and I've had no input on the series arc; I have absolutely no idea if there'll be more tales about the characters I wrote, let alone who might be invited to write them; I have no idea what appearances, if any, the characters I wrote will make in the various other formats within the game's multi-media world.

What turned out to be most unprecedented for me, though, was my complete lack of artistic control. In my original-fiction, I review the line edit, the copy edit, and the galleys, thus ensuring a well-polished release; and absolutely nothing in my work is changed without my permission.

In the case of my media tie-in novel, though, I never saw the book again after I delivered the completed MS; and upon receiving my copies of the published novel, I discovered that about 15% of my prose had been completely replaced by in-house writing. (I gathered that time constraints were a factor in the rewrites being done in-house rather than assigned to me.) Although it is a publisher's contractual right to do this with work-for-hire, I was nonetheless dismayed, and the resulting book contains plot elements and stylistic features which make me uncomfortable about having my name on the cover.

However, one thing every media tie-in book has which most original-fiction novels do not is a *marketing platform*, and it was educational to see this at work. The book could be marketed at huge tournaments devoted solely to this game, and new editions of the game itself provide reinforcement and teasers for the multi-media series arc. Additionally, a licensing deal led to a brand of soda pop being named after my book, aimed at fans of the game.

I also discovered a large, active fan chatboard via the gaming company's website, where I interacted with readers. (For reasons which elude me, this seemed to stun everyone—fans, editors, game designers, and the PR team.) One of the experiences I had there, which was again brand new to me, was that the fans knew far more than I did about the game-based world of the novel and thus asked me many questions about my own book that I couldn't answer (especially since I only wrote about 85% of it). And when we were finished discussing the book, the fans made anagrams with my name.

The author of this article, Canaries Lurk, generally considers Luck A Rare Sin, and sometimes wonders, "Can I Ask A Ruler?"

Ninc Bulletin Board

COMPILED BY JACKIE KRAMER

Got any news or information
for the Bulletin Board?

Send it to Jackie at
jackiekramer7@netscape.com

Hi, all! Here's a great incentive to nudge friends and people you meet. At conferences along the way to sign up for Ninc, and all of the benefits that come with membership. The plan: Help Ninc grow and save on membership dues and more!

Get two writers to join Ninc and get your membership dues free in 2011. Get nine writers to join Ninc before June 30th and your 2010 conference fee is free! No, you don't have to get eleven in all, the two counts toward the nine. But to make certain you get the credit tell your friends to add your name to the line on the membership application that reads "where did you learn about Ninc?" Spread the word about Ninc and reap the rewards!

The ways to do this are endless. At your local chapter conferences, on your blogs or web pages, on your writer loops. Use your imagination. We all already know the benefits of membership. We just want our members to spread the word, and reap the benefits of doing so.

Good luck and happy recruiting.
Trish Jensen

Brainstorming On The Beach — Conference Scholarships

Up to three scholarships (conference fee only) are available for the October Conference. Applications must be received by the Central Coordinator (TWilkerson@varney.com) by June 30. Apply for yourself, nominate a fellow member; no application forms, just your name and that you're applying for a scholarship. If more than three members apply, the scholarships will be awarded by the luck of the draw. For more details, go to <http://www.ninc.com> and download the Policies & Procedures Manual (Ninc Business menu), under Linda Kay West Memorial Fund, pages 11 and 12.

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A writer's starter guide to twitter (or: everything I wish someone had told me when I first started using twitter)

BY JUSTINE LEE MUSK, (REPRINTED WITH PERMISSION FROM HER BLOG, [HTTP://TRIBALWRITER.COM.](http://tribalwriter.com))

Publishing is changing. "It's not an evolution," Jane Friedman (<http://janefriedman.com/read-my-stuff>) commented recently, "but a revolution...And it's not going back."

Part of that revolution involves the still-evolving notion of author platform. A key part of any author's platform is Twitter. It forms what I consider the Golden Triangle of blog/facebook/twitter that forms the heart and home of your online presence.

You find writers all over Twitter (http://www.mediabistro.com/galleycat/twitter/literary_twitter_census_147251.asp). It's not just about self-promotion. Whether you're "following" the tweets of agents, editors, or writers in your genre (and other genres), it's a way to connect with cool people, keep up with the industry, seek advice, participate in writing-related #chats and learn about writing resources, conferences, literary magazines, and just about anything else you can imagine (and maybe a few things you can't).

But Twitter is a strange and often bewildering country. Here's a travel guide.

FIRST STEPS

Open an account. Choose an easy-to-remember username that doesn't have a hyphen in it. Those things are annoying when you're typing on your cell phone, and it makes people less likely to address you directly. It also implies that you came to the game too late to get that username *without* a hyphen, which is no big deal but takes off coolness points.

Walk through the steps that let you find out which of your contacts are already on Twitter. Follow them. Some of them will follow you back.

Make sure you post a profile photo. If you don't have a photo, people will be less likely to follow you or take you seriously. In the minds of many, no photo = clueless dilettante who won't be around very long.

Get yourself a cool Twitter background (<http://www.twitrbackgrounds.com/>). Through going to the extra effort of installing one of those (which is easy), you're signaling, again, that you're serious. Generic twitter backgrounds are easy to spot, and don't say anything about who you are as a person. Again, coolness points.

Before you dive in, spend some time getting acclimatized. Look around. Listen. Get to know the culture.

Follow some of the big guns – people regarded as top influencers on Twitter* – because they're interesting and also because they can teach you through example how to tweet effectively. Here are some of my favorites in the world of publishing/writing/blogging:

[@janefriedman](#)

[@colleenlindsay](#)

[@michaelhyatt](#)

[@thecreativepenn](#)

[@rachellegardener](#)

[@chrisbrogan](#)

[@kellydiels](#)

[@daniellelaporte](#)

[@rachelresnick](#)

[@communicatrix](#)

* <http://www.systemicmarketing.com/top-marketing-book-authors-on-twitter/>

GETTING PEOPLE TO FOLLOW YOU

The best way to get someone to follow you is simply to follow them, and to *be engaging and interesting*; a lot of people will follow you back automatically, or at least check out your tweetstream to see if you're worth their time and attention.

So before you start following people like crazy, build up a solid tweetstream (and by tweetstream I mean your profile page that lists all your recent tweets), so people have something to look through when they click on your name. Your tweetstream says a lot about who you are, what you stand for, and how (or if) you play with others, so fashion it with care. Always think before you tweet.

DIFFERENT KINDS OF TWEETS

Your tweetstream should be a mix of different kinds of tweets.

Microblog.

The thing that immediately turns me off (and others) is a list of nothing but bullhorn or broadcast tweets. By that I mean tweets that aren't interactive and that, generally, nobody cares about, ESPECIALLY if you're just promoting your blog or your books.

These are the tweets that give Twitter a bad name ("I had a ham sandwich for lunch"). You're standing on a box and blaring out your message to whomever's passing by. Keep this to a minimum – and when you do it, treat it as microblogging. Be interesting, be amusing, be informative. Try to write things that other people are likely to relate and respond to, that might spark off a dialogue.

Remember that Twitter – as well as social media in general – is about connecting with people and providing value for others, not selling and promoting yourself. (Or rather: you sell and promote yourself through providing value for others.)

One fun or handy thing to do on Twitter is to ask questions. It's great for research purposes, or general personal interest, or to kickstart a new conversation.

Respond.

Talk to people. You respond to someone else's tweet by putting an @ in front of their username (so if you're tweeting me, you would tweet @justinemusk, *I am astounded by your general wondrousness, although I wish your dog would stop barking*). A tweetstream that is composed of many @ tweets is a sign that the user is interactive, conversational, and participatory. It's a good sign.

But when you are responding to someone, remember that other people can see your tweet. Include them in the conversation by providing enough context in your message so that a stranger can understand it. (If you want total privacy, send your message via Direct Message, otherwise known as DMs. Those are completely private, at least in theory). When other people see you engaged in a lively conversation that catches their interest, they're likely to check you out and perhaps follow you or join in the dialogue themselves.

Share.

These are tweets that include a link to an article, blog post or web page that you think people would find interesting. Since each tweet is limited to 140 characters, you need to use a URL shortener such as bit.ly (<http://bit.ly/>). (again, easy).

You share as a way of curating cool content, so other people don't have to search for that stuff themselves. As the Web becomes more and more cluttered and fragmented, the act of *curating* becomes more and more important.

It's a good idea to limit yourself to a particular niche, so that people will know what kind of links to expect from you (and if they're interested in that niche, they will follow and possibly send you a note thanking you for your generosity and usefulness). For example, my links are generally writing-related, although every now and then I'll throw in something different (an article about cool and inspiring women, for example, or an interview with Seth Godin, or a link to an awesome nonprofit) but which still "feels" like...me, the things I stand for and want to represent.



(Remember that, in social media, *you are your content*. This includes your links. Your content adds up to create your brand, which basically refers to everything that you stand for as an individual.)

You also share as a way to promote other people. Social media is all about the karma: put good stuff out, and get good stuff back. Promoting other people also allows you to promote yourself without being obnoxious, although you should promote others much more often than you promote your own work. Social media guru Chris Brogan (<http://www.chrisbrogan.com/>) has a 12x rule: for every time he promotes something of his, he promotes others 12 times. The important thing here is to be authentic. Don't provide a bunch of random links just because you want to meet your promote-others quota or because you're hoping that the person you're linking to will notice you and promote you in turn or feel like they "owe you." Promote what you're genuinely passionate about. People have a way of sniffing out fakery, even online.

Retweet.

Retweets are a crucial part of Twitter culture. A retweet is when you like a tweet so much, find it so amusing or helpful or provocative or brilliant, that you copy it and put an RT in front of the @username. For example, my last RT was this:

RT @KellyDiels "Out beyond ideas of right-doing and wrong-doing there is a field. I'll meet you there." – Rumi via @Lianne_R

By retweeting this, I'm investing this with my name and personality, so that even though I didn't come up with it, it's still saying something about me. I'm also paying a compliment to Kelly Diels, telling her that I really liked her tweet (a retweet is the ultimate Twitter compliment). Notice that Kelly, with the "via" @username, is acknowledging that she picked up the quote from someone else, who didn't tweet it but maybe posted it in a blog comment or as a Facebook status update.

Retweets are powerful because they enable something to go viral. If you tweet something to your 25 followers – a link to your blog post, perhaps — and I happen to be one of them, maybe I'll like your blog post so much I will retweet it. So the link to your blogpost has just been exposed to my 3,200 followers. And maybe one of them will love it, and retweet it to their followers, and so on...Considering that there are people on Twitter who have 10,000 or 30,000 or 150,000 or 500,000 followers (or more, way more, way way more) you can see the potential. Retweets expand your audience.

FOLLOWERS/FOLLOWING RATIO

The number of people following you, vs the number of people you are following (otherwise known as your followers/following ratio) says a lot about the kind of tweeter you are, and it's something I notice when I check out your profile page.

If someone's follower count is massively higher than their following, it's generally a sign that they're a broadcaster. They're not conversing or engaging with people. Often this is because they're a celebrity – and so people hang on their every word, and actually do want to know what they had for lunch – or provide some kind of information service.

If someone's follower and following counts are roughly equal, it's a sign that they engage in conversation with the many instead of the few (and are likely to follow you back).

If someone's following count is massively higher than their follower count, it's interpreted as a sign that they're a spammer. AVOID THIS.

HASHTAGS and HASHCHATS

A hashtag is this symbol right here: #. People put it in front of a word or words, and use it when they want their tweet to be grouped with other tweets about the same topic. One popular writing hashtag is #amwriting. This means that if you click on #amwriting, you will be taken to a page(s) of tweets (<http://twitter.com/#earch?q=%23amwriting>) ▶



that all include the #amwriting hashtag and are about, presumably, writing.

In the column on the right side of the Twitter page, you'll see the TRENDING list. These are the most popular topics that are being discussed on Twitter right now. Many of them have a hashtag.

Hashtags allow for hashchats. A hashchat is what enables a large group of people to have an ongoing conversation on Twitter. Some of these hashchats are regular weekly features. For example, there is a hashchat called #askagent. This is your opportunity to ask the participating literary agents any questions you have about submissions, agenting, the state of publishing, etc. By including the hashtag #askagent in your tweet, you ensure that the agents (and anyone else looking out for the #askagent hashtag) will see it, and respond accordingly.

SEARCH

The “search” box you see in the rightside column on a Twitter page can be an invaluable resource.

You can use it to find users who are interested in the same things that you are. I will use it to find people who are reading the same book or author that I am, for example – I'll enter LORRIE MOORE or A GATE AT THE STAIRS and enter into a conversation with someone about that book, or discover what other people are saying about it.

You can also use it to get up-to-the-minute information about, well, anything. Last summer I looked out my window and saw a wildfire happening in the near-distant hills (smoke, flame, helicopters, very dramatic). By typing in “Los Angeles wildfire” I discovered where the fire was (Sepulveda Pass) and who was being evacuated (The Getty Center) and when the fire department expected to contain it (a few hours). The news websites were about two or three hours behind the tweeters who were experiencing or witnessing the wildfire themselves (“it's getting smoky up here, I wish they'd put this damn thing out...”).

One afternoon when I heard a loud, ripping explosion and felt the earth tremble, I rushed to Twitter. Within five minutes I knew that it hadn't been an earthquake, merely a sonic boom as the space shuttle entered the atmosphere one day late (due to bad weather). Relief.

LISTS

The Twitter lists function allows you to group the people that you're following according to whatever criteria you wish. For example, I made a cool publishing peeps (<http://twitter.com/justinemusk/cool-publishing-peeps>) list. When I click on it, it takes me to a page(s) of all the recent tweets from some of the people I follow in the publishing industry, so I don't have to sort through tens of thousands of tweets looking for them or click on each of their individual profile pages. This list is public (which means it's listed in my righthand Twitter column and anyone can check it out or follow it in turn). I also have a “private” list of friends and family members that no one can see except for me.

Lists are a great way to discover new and interesting people to follow – and to do it in bulk (you can check out mashable's list of twitter stars (<http://twitter.com/mashable/twitter-stars>) for example). Find the people you're interested in, then check out their lists (in the right hand column) to find *more* interesting people to follow, either as individuals or as a group.

BLOG/FACEBOOK

Twitter drives traffic to my blog. My blog drives traffic to my Twitter stream and increases my followers count (and gives me new cool people to connect with).

But the most interesting relationship, I find, is the one between Twitter and Facebook. By enabling Facebook to pull in my Twitter stream, I allow my tweets to double as a series of Facebook status updates and spark off real-time conversations. A tweet that gets only one or two responses on Twitter might get five or six responses on my Facebook page and ignite an entirely separate dialogue. Different forms of social media lead to different kinds of conversations, or different versions of the same conversation. It's fun.

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