

N I N K

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Amazon Patents ‘Used Digital Objects.’ Discuss.

BY LAURA PHILLIPS

Amazon’s newly awarded patent for “used digital objects” made headlines and sparked debate and speculation about the impact on writers and publishers. *Publishers Weekly* reported February 7 that Amazon was “poised to sell used e-books” thanks to a U.S. patent granted to Amazon Technologies of Reno, Nevada.

According to the patent abstract, published on the U.S. Patent & Trademark Office website, the patent was filed in 2009 and granted January 29. It covers “digital objects including e-books, audio, video, computer applications, etc., purchased from an original vendor by a user which are stored in a user’s personalized data store.”

In short, here’s how the process would work, according to the abstract. “Content in a personalized data store may be accessible to the user via transfer such as moving, streaming, or download. When the user no longer desires to retain the right to access the now-used digital content, the user may move the used digital content to another user’s personalized data store when permissible and the used digital content is deleted from the originating user’s personalized data store.” Additionally or alternatively, a collection of objects may be assembled from individual digital objects stored in the personalized data stores of different users, and moved to a user’s personalized data store.”

However, the patent grant does not mean that Amazon will start selling “used” digital content or that these sales would be legal, according to George H. Pike, director of the Barco Law Library and assistant professor of law at the University of Pittsburgh School of Law. In his column for *Information Today* (www.infotoday.com) on February 14, Pike said that it is still “uncertain if and how the First Sale Doctrine applies to digital content. Since the First Sale Doctrine requires ownership, most courts have held that the doctrine does not apply to content that is licensed.” He also noted that language in the patent “would seem

to suggest that the system may only allow the transfer of content when the copyright owner gives permission through the use of access rights, or possibly when the copyright owner does not forbid transfer through its DRM. The former would be unquestionably legal under copyright law; however, the latter would be less certain.”

Jenn Webb’s February 8 article on Toc.Oreilly.com pointed out another prominent court case with ramifications that might extend to the resale of digital goods in the future. *Kirtsaeng d/b/a Bluechristine99 v. John Wiley & Sons Inc.*, currently being considered by *Continued on page 5* ▶

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Novelists, Inc.

FOUNDED IN 1989

Founders

Rebecca Brandewyne
Janice Young Brooks
Jasmine Cresswell

Maggie Osborne
Marianne Shock

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Jasmine Cresswell	Steven Womack	Pat McLaughlin
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2013 Conference

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Meredith Efken

Program: Karen Tintori Katz

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Chair: Sylvie Kurtz

Managing Electronic Rights

Chair: Open

Marketing

Chair: Elaine Isaak

Member Retention

Chair: Barbara Bretton

Membership

Chair: Tracy Higley

Nink Online Index

Denise Lynn

Nominating

Chair: Lou Aronica

Royalty Committee

Chair: Allison Brennan

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Volunteer Jobs List

Coordinator

Dianne Despain

Website

Chair: David Wind

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Complete committee member listings
are available on the website:

<http://www.ninc.com>

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Address changes may be made on the
website.

Members without Internet access may
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: Tracy Higley
tracy@tracyhigley.com

New Applicants:

Paula Altenburg (Taylor Keating), Stewiacke,
Nova Scotia, Canada
Debra Bess (Deb Marlowe) Apex, NC
Darcy Burke, Tigard, OR
Seth Clarke (Jack Sheppard, Jasinda Wilder), Oxford, MI
Laura Drake, Tustin, CA
Sara Humphreys, Bronxville, NY
Laurie Kellogg (L.L. Kellogg), Jamison, PA
Robert Jeschonek, Johnstown, PA
Linda Poitevin, Gatineau, Quebec
Tina Radcliffe, Glendale, AZ
Jocelyn Sweetapple-Clarke (Jasinda Wilder, Amber
Sweetapple), Oxford, MI
Pat Van Wie (Patricia Lewin, Patricia Keelyn), Prosper, TX

New Members

Linda Allsopp (Liz Fielding), Trowbridge Wilts,
United Kingdom
Anita Carter, Des Moines, IA
Melitta Dee (Kit Dee), Tucson, AZ
Susan King (Susan King, Susan Fraser King, Sarah Gabriel),
Gaithersburg, MD
Mary Lee Woods (Sparkle Abbey), Des Moines, IA

NINC has room to grow...

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

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

A Little of This, A Little of That

If you're reading this issue and haven't renewed your membership to NINC, you're late – but not too late! You have until March 15 to renew and not be dropped from the membership roster. In addition to the \$65 membership fee, you will be asked to pay an additional late fee of \$10. Don't let this important business networking connection slip through your fingers. If you're like me, you'll hate having to go through the membership process again.

Just been through an *annus horribilis*? Consider taking advantage of one of NINC's many benefits of membership, The Linda Kay West Memorial Fund, which is used to cover the cost of yearly dues for members who otherwise could not afford to renew their membership. The fund is supported by voluntary contributions from our members, who indicate on the yearly membership renewal form that they are paying an additional amount above their normal dues in support of the fund. Members may apply for assistance from the fund no more than once every four years. Members may *not* apply for assistance from the fund for their first full year of membership. To find out more about how to use the fund, log in and go here: http://NINC.com/members_only/member_services/memorial_fund.asp

We have had two new changes in NINC personnel since the beginning of the year. Tracy Higley has taken over from Jim LePore as our new membership chair. Thanks, Jim, for taking the position mid-year last year and doing a terrific job, especially in getting indie authors into our membership fold. Congratulations, Tracy, and thanks for volunteering for one of our most active positions. I have appointed Ashley McConnell to take over for Trish Jensen as NINC treasurer for the remainder of Trish's term. Thanks, Trish, for all your time and talent and effort in what has to be another of the heavy-lifting positions on the NINC board. We wish you all the very best. Welcome, Ashley, onto the board and into the heart of the administration of the organization.

I've been thinking, always a dodgy proposition. NINC could benefit from a short and pithy motto. The outcome of several conversations with other NINC members and the NINC board has been a thumbs-up on this one: **"Novelists, Inc. Means Business!"** It captures the essence of NINC as a serious professional organization dedicated to giving its members the best, up-to-date, and wide-ranging information about the publishing industry so that our members can make the best decisions for their careers. The conference theme changes from year to year. This will give us continuity and be a talking point for any conversation with another author that gets the response, "I already belong to several other writers organizations. Why should I join NINC?"

Let me know what you think of the motto by posting on the NINCLink.

25 years! Seriously? Yes, Novelists Inc. will be celebrating its 25th anniversary in 2014. That's a remarkable accomplishment for any organization, and we aren't about to let it pass without marking our achievement in various ways. All ideas are welcome, and there's no time like the present to get started. To that purpose, I have appointed Sally Hawkes to chair the NINC 25th Anniversary Committee.

If you'd like to be on this committee—it could be your "Just One Thing" for the year—contact Sally directly at sally@library.arkansas.gov.

As a follow-up to my call in the January issue of *Nink* to consider "Just One Thing," I want to give you a short tour of our NINC Committees tab, which you may not be as familiar with as other locations on our website. The board is looking at our many committees. We will activate those committees where ▶

members show interest. I, for one, would like to see the Marketing Committee surge this year. For instance, there's no reason a speaker should come to our conference not already well-versed in who and what NINC is. I'd like to see us brand our organization to have the same name recognition other groups have. Make that more recognition. We're a powerhouse. No need to be modest. Let's flex some marketing muscle in the name of NINC.

In case it's been a while since you looked them over, or maybe you've never gotten a chance to review them, here is a sampling of our committees:

Discounts Committee

Committee purpose: to obtain discounts on writing/career items and services that benefit Novelists, Inc. members. Seeking *ideas* of additional discounts NINC members would like. To join this committee, contact: [Pat McLaughlin](mailto:PatMcLaughlin@aol.com) at PMcLinn@aol.com.

Marketing Committee

Committee purpose: to help NINC grow, and to introduce NINC to authors who may not have heard of us or who may not realize what benefits membership brings. To join this committee, contact: [Elaine Isaak](mailto:elaine@elaineisaak.com) at elaine@elaineisaak.com.

Nominating Committee 2013

Committee purpose: to select members to run for NINC board positions (president-elect, treasurer and secretary) as well as candidates for the next year's nominating committee. The chair is selected by the president. (Traditionally, the immediate past president serves as chair.) Nominating committee members are elected by the membership. To join this committee, contact [Lou Aronica](mailto:laronica@fictionstudio.com) at laronica@fictionstudio.com.

Volunteer Jobs

NINC Blog: looking for a volunteer willing to get one industry guest for the blog each month. Pay is a small stipend (\$25) and your photo and bio to promote yourself. Contact DianneDespain@earthlink.net or Patricia Rosemoor at pmcreativeservices@rcn.com.

NINC Conference Committee 2013: the conference committee contacts and arranges for speakers, works with hotel for space and conference needs, directs registration; in other words, manages the whole ball of wax. Each year it is the volunteers who make the conference a success. That includes the conference chair as well as the committee and many other behind-the-scenes members who make it possible for the rest of us to enjoy a splendid, fact-filled, fun-filled weekend. To join or volunteer for a task with this committee, contact [Kelly McClymer](mailto:kelly.mcclymer@gmail.com) at kelly.mcclymer@gmail.com.

Do check out the NINC website for more information about the above committees and more.

Last, but not least, if you haven't done so already, put us on your calendar now for the NINC Conference 2013, "The Author's World," in Myrtle Beach, S.C., October 24-27. Check the NINC website for a link to our new conference website. Want to check out the locale? Go here: [Myrtle Beach Marriott Resort and Spa](http://MyrtleBeachMarriott.com) (tinyurl.com/MyrtleBeachMarriott). They had me at spa!

— **Laura Parker Castoro, NINC President**

Business Briefs

Compiled by Sally Hawkes

New Associate Editors

Random House — Kaela Myers, Sam Nicholson, and Anna Pitoniak
Kensington — Peter Senftleben

Publishers Weekly



The Author's World... in Myrtle Beach

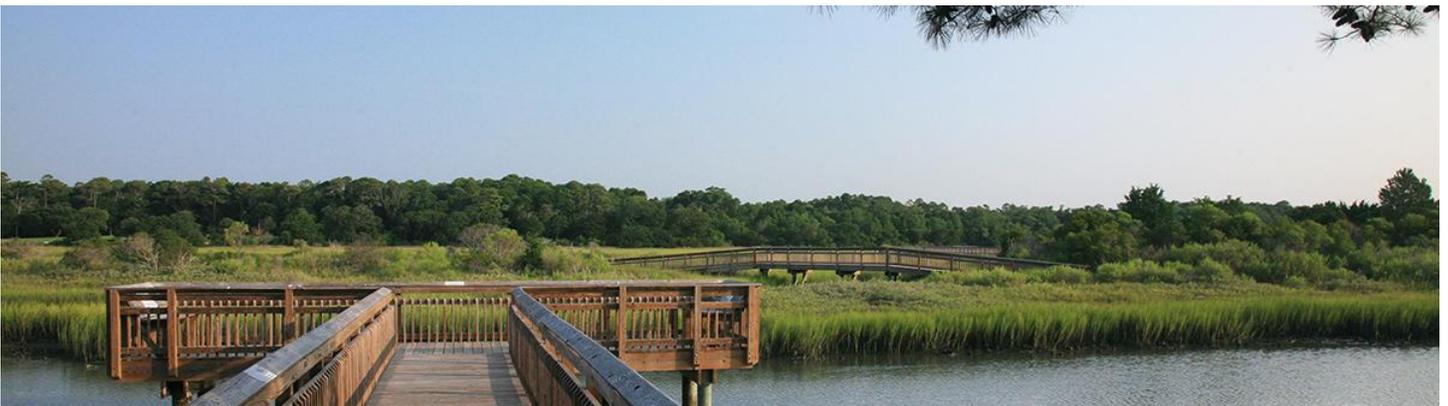
More than ever writers are finding themselves thrust into the role of being “chief cook and bottle-washer” to their careers. We are multitasking to the nth degree trying to do everything equally well. What we don't want to lose or forget is that, above all, we are writers working hard to deliver engaging, innovative, exciting stories and characters to our fans. The extra responsibilities we must now perform are challenging; we're dancing as fast as we can.

This year's NINC Conference theme is “The Author's World.” While we must now also sell ourselves (or rather our image) in order to sell books, it still all comes down to the story.

Good, bad, or ugly, electronic technology has had a transformative effect on our careers, requiring more participation, business acumen, and nerves of steel. More than ever we are actively looking for the people, places, and ways to help us not only stay viable but also to help us improve our skills as we work harder to increase our readership and our sales. Welcome to the shape-shifting world of the future.

You can expect back by popular demand some of the exciting and innovative speakers we've heard from before, along with a new roster of professionals that will include editors, legal and financial advisors, along with the latest insights on promotion and marketing. There is a short list of top names being considered for the guest speaker spot that we are sure will add value to your attendance.

The conference in Myrtle Beach will expand on the great ideas and “entrepreneurial” indie spirit of 2012 during the First Word program. This is a one-day event that will also be open to the public. Let's call it Advanced Fiction 101: looking at how to grow and stretch beyond what we've been doing; from what's been



Brookgreen Gardens



Myrtle Beach Resort & Spa at Grande Dunes

comfortable, tried, and true, to the extraordinary. What are the new trends and how can we be the writers to create them?

Look for sessions that suggest how to keep up with ebook speed-reading fans without sacrificing quality. And, of course, the Night Owl sessions remain part of the program that allow for end-of-the-day conversations for NINC members only.

Look for all of this and more in a setting guaranteed to provide stimulation and relaxation, the Myrtle Beach Marriott Resort Spa at Grande Dunes, (<http://www.marriott.com/hotels/travel/myrgd-myrtle-beach-marriott-resort-at-grande-dunes>). Located on the coast of South Carolina, the area has lots of options for fun. The weather is one of its greatest assets, along with 60 miles of soft sandy beaches that await visitors. There is plenty of entertainment and attractions for everyone, endless shopping, exquisite dining, thrilling water sports, and so much more. Start planning now to be there.

Here's what you need to know:

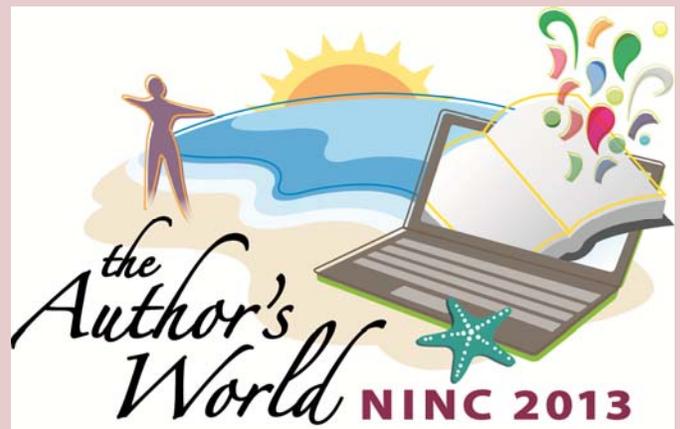
Registration will begin on March 1, 2013. Earlybird registration is \$350 for NINC members until August 31, 2013. From September 1 – 30, 2013 the cost is \$425. First Word is included for members, and available to non-NINC members for \$195.

Guest meals package: \$215 for the entire conference (reception, First Word lunch and dinner, Saturday dinner), OR individually at \$45 for the reception, \$145 for the First Word lunch and dinner, and \$70 for Saturday dinner.

Hotel rooms are \$168.37 per night.

Stay tuned for more updates in upcoming issues of *Nink*.

— Sandra Kitt
Conference Publicity Coordinator

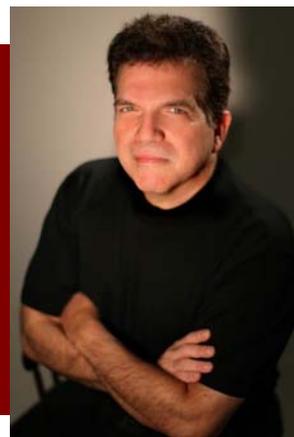


NINC 2013 Conference
Myrtle Beach, South Carolina
October 24-27

Members' Early Registration
\$350

Trendspotting for Fun and Profit

Lou Aronica's
*Eye on
Industry*



Back when I was lunching with agents four or five times a week (which went a long way toward explaining the extra twenty-five pounds I carried with me then), a common question was, “What are you looking for?” I always answered the same way: “I want the best things you have, the projects you love the most.” I answered this way because I truly believed it was the only way to answer. I prided myself on having broad tastes, but more importantly felt there was no value in trying to jump on a trend, either one that was working for me or one that was working throughout the industry. The simple fact was that the rhythms of book publishing made trendspotting a futile option. Even if I bought a manuscript the day after the lunch, it would take at least nine months to get to market. In many cases, the trend would have been played out by then or at the very least the pipeline would be full. To me, it always seemed to be the better play to acquire something that genuinely excited me, because I always believed there would be an audience for a high quality offering. Certainly, this backfired on me numerous times, but some of my most successful acquisitions came from taking this approach.

Now, though, trendspotting might have some value, especially if you write quickly. After all, you can have your novel on sale the afternoon you finish it, if you really want. Even if you factor in time for copyediting, you could have it up in a few weeks. Book trends tend to last at least that long. If you look at the Kindle or Nook top ten today, you’ll see several “new adult” titles there. Do you have one of those in you? How quickly can you get it out? A few months from now, you might notice that faeries are hot, or female firefighters, or royals in exile, or maybe stories about women with magical powers who rescue a shamed duke from a blaze. If so, does this resonate with you?

For possibly the first time in publishing history, it might make sense to seek inspiration in what’s hot. If your reflexes are good enough, you might be able to get something out there at the height of the trend. This could provide some nice cash and maybe even a career boost. This might even be a way to find your muse. Trendspotting in this fashion can be used a bit like the writing prompts my seven-year-old gets in school: “my favorite thing about February break was....” It’s even possible that your variation on a trend might become distinctly yours and even extend the trend. One of my hobbies is writing and recording songs. Since I’m not a particularly original songwriter, the songs always start from some fixed launch point. One might start off with the goal of imitating Brian Wilson, another Coldplay, yet another a shameless attempt to replicate “Use Somebody” (best song of the century so far, in my opinion). The thing is, these songs never wind up sounding like their inspirations because I’m nothing like Brian Wilson, Chris Martin, or the Followill Boys. Maybe the same thing would happen if I decided to write an exiled royalty novel (not that I’m trying to make exiled royalty novels happen).

However, I will never be tempted to do this. I once wrote a novel in two months, but that was an anomaly. Most of my fiction takes at least a year to produce. My novel *Blue* took six years. If I tried to catch a trend, I might catch it in time to appear retro. I’m also not convinced that seeking inspiration from what’s hot ever generates authentic work. Seeing a trend and saying, “I could write one of these” is very different from having an idea hit you (from any of a number of sources) and realizing “I’m supposed to write one of these.” But if the theme to this decade is “Everything is Different” (along with the corollary theme “Many Things Aren’t as

Different as You Thought”; watch this space for more on that), we need to accept that many of us may be made to do our best work in response to other work. If that’s true in your case, then the time has never been better for you. There are new trends to spot and one might literally have your name on it in the near future.

Lou Aronica is a New York Times bestselling author of fiction and nonfiction, former president of Novelists Inc., former publisher of Avon Books, and current publisher of The Story Plant and Fiction Studio Books. You can reach Lou at laronica@fictionstudio.com.

Business Briefs

Bye-Bye Printed Word?

The *Publishers Weekly* headline *E-books Soared, Print Crawled* caused some interesting discussion recently. The headline was tied to this statement by Jeff Bezos in *PW*. “We’re now seeing the transition we’ve been expecting. After five years, e-books is a multi-billion dollar category for us and growing fast—up approximately 70 percent last year. In contrast, our physical book sales experienced the lowest December growth rate in our 17 years as a book seller, up just five percent.” Yes, 70 percent is a big number and five percent isn’t. But are they comparing apples and oranges to the e-books advantage? Print numbers come from books published with a known editorial process. This can’t be said for all e-books, which can be anything from polished prose to the worst tripe in the world. Is this calling a premature funeral dirge to the printed word?

Publishers Weekly

\$10,000 to learn to write?

Top Christian author Jerry Jenkins is setting out to help new authors publish their works through his new Christian Writers Guild Publishing. Although previously not a fan of do-it-yourself efforts, he’s going to provide a means for unknown authors. This process is a six-month course that will include copyediting, typesetting, proofreading, custom cover design, marketing advice, printing, digital formatting, and ebook files in all formats. The cost is \$10,000 with a surcharge for manuscripts over 75,000 words. The other catch is anyone interested has to apply to the guild by providing a manuscript for evaluation. Hmmm.

Publishers Weekly

Macmillan settles with DOJ

Macmillan and the U.S. Department of Justice agreed on a settlement in February over alleged collusion and e-book price-fixing. The settlement is similar to that signed by HarperCollins, Hachette, Penguin, and Simon & Schuster with one big difference. Retailers won’t have to wait for a new contract before discounting Macmillan e-books.

Digital Book World

Have You Renewed for 2013?

Don’t delay any longer...this newsletter is just one of the valuable tools you need to stay on top of the ever-changing market for fiction writers.

Brainstorming at the Spa in Matera, Italy

BY ELIZABETH JENNINGS

brain·storm·ing

noun \-,stôr-mīŋ\

Definition of BRAINSTORMING

: a group problem-solving technique that involves the spontaneous contribution of ideas from all members of the group; *also* : the mulling over of ideas by one or more individuals in an attempt to devise or find a solution to a problem.

When your plot dangles there like a dead thing, when your characters become unbearable, when the narrative arc is flatlining, who you gonna call?

Brainstormers, that's who.

There is nothing better than another writer, a colleague who understands the unique pressures of fiction, to help you out of the sandpit. Most of us have a critique partner, a writer friend, we can call up for a good whine. *My book is dead. I might as well learn how to be a short order cook.* And after the whine is over, sleeves are pulled up and knuckles cracked as you tackle that plot hole together.

So imagine how useful 10 or 20 critique partners can be. And imagine those critique partners meeting in a gorgeous hotel in a spectacularly beautiful city in the south of Italy. *With a spa.* And there you have our International Women's Fiction Festival's Brainstorming at the Spa program in a nutshell.

Four full days dedicated to brainstorming your book and the books of other writers.

On the hedonistic principle that you learn things more easily when reinforced by pleasure than by pain, we make it as sensually delightful as possible. The venue is gorgeous, set in a city carved out of tufa stone, the Sassi of Matera, a UNESCO World Heritage Site. The food and wine are divine, and many a tricky plot point has been pinned down, eviscerated and conquered over a glass (actually, several glasses) of Aglianico wine, scarfing down *orecchiette con rape*.

The program consists of a structured part and an unstructured part, the one in the spa. The structured part is in the morning, four or five intense hours brainstorming each project. Each writer is given a specific amount of time to describe his or her project in detail and describe where help is needed, whether with plot, characterization, theme, or all three. The wonderful thing about the group dynamics is that everyone is respectful of the genre and of the terms of reference of the work in question. Thriller writers help in plotting romances, literary writers get down and dirty in plotting science fiction.

We take each book on its own terms. There is a palpable feeling of helpfulness in the air. After the description of the project, the real work begins. Someone once said that creativity is the speed with which you reject bad ideas. Bad ideas are aired and rejected fast, and then the good ones begin. Though the brainstorming program is held in English, the group is international and there is a broad and original reach to the ideas forthcoming.

The discussion is led by literary agent and writing coach Christine Witthohn, who also gives one-on-one sessions in the afternoon for those who don't go for a soak and a pampering in the hotel spa, which boasts a glorious underground pool in a cave.

For Witthohn, the program is so creative she says it reminds her of why she became an agent in the first place.

As *New York Times* bestseller Shannon McKenna says, “it’s so wonderful to get the hell outside your own brain, with its own deep grooves and ruts and routines and fear-based limitations. I automatically resist at the beginning all the ideas that come to me from the outside, I can’t help myself—but slowly, they percolate down and I start to see solutions to problems. It changes the cards on the table, reshuffles, offers up surprises.”

S.G. Redling, author of the bestseller *Flowertown*, brainstormed *Damocles*, a science fiction book that will soon be published by Amazon’s 47North imprint. As she said, “the most surprising thing about brainstorming for me is that I get the most inspiration and infusion of energy brainstorming someone else’s story. When it’s not your own baby and your own characters, you feel a freedom to cast your net a little wider, dig a little deeper, think farther afield.”

Elizabeth Aston, aka Elizabeth Edmondson, found it helped her in finishing two books. “Brainstorming at Matera is a kind of magic. You start with anything—a vague idea or a knotty problem from a work in progress—and then, by an extraordinary alchemy of combined imaginations and brains, what was one or two dimensional is suddenly 3D. It’s been brilliant for two very different books for me—a historical rom com and a dark historical spy thriller.”

Four days intensely brainstorming your book with other writers and with a smart and creative agent, eating fabulous food, continuing in a spa...something good inevitably comes out. I am now writing the third book of a trilogy, the Ghost Ops trilogy, that I originally brainstormed at the first Brainstorming at the Spa. It is a departure for me, futuristic paranormal, and I could never have managed it without my brainstorming buddies.

Four magic days. You should try it. Join us at the spa or organize your own long brainstorming weekend. It works. Guaranteed.

For details and registration information for this year’s Brainstorming at the Spa, March 22-25, go to www.womensfictionfestival.com/en/component/k2/item/281-brainstorming-at-the-spa

Elizabeth Jennings writes romantic suspense and spicy romantic suspense as Lisa Marie Rice. Her 23rd novel, Heart of Danger, by Lisa Marie Rice, was published in November 2012 by Avon Red. I Dream of Danger is coming out in June 2013. She has lived in Europe all her adult life. She currently lives in southern Italy which is...interesting. The food is very good. She also runs an international literary festival/writers conference, The International Women’s Fiction Festival—www.womensfictionfestival.com—which affords her a bird’s-eye view of publishing on both sides of the Atlantic. That’s interesting, too.

Business Briefs

New Amazon Imprints

Amazon Children’s Publishing has announced Two Lions (picture books, chapter books, and middle-grade fiction) and Skyscape (young adults) coming in Spring 2013. The lines will incorporate veteran authors and new writers. The staffing will include editorial managers Margery Cuyler (Two Lions) and Tim Ditlow (Skyscape). Launch titles include *Gandhi: A March to the Sea* by Alice B. McGinty, illustrated by Thomas Gonzalez, and *Poco Loco*, a debut picture book by J.R. Krause, illustrated by Maria Chua for Two Lions; and *You Know What You Have to Do*, by Bonnie Shimko, and *Reason to Breathe*, the first book in the Breathing Series trilogy by Rebecca Donovan, for Skyscape.

Publishers Weekly

Getting It Write at the WPA

BY ASHLEY MCCONNELL

Have you ever looked at your computer screen, chewed your lip, and thought, “Hmmm. I wonder if that’s *really* the way that works.”

And have you ever thought, “I could call the police department and ask somebody how to kill an abusive husband undetectably... but that might not go over all that well.”

And have you ever gotten a letter from a reader telling you that you completely screwed up something forensically?

Surely there’s a better way! And I am here to tell you, brothers and sisters, I have been to the mountain-top, I have seen the promised land of research, and it is available to us all.

The third annual Writers’ Police Academy workshop was held September 20-23, 2012, in Greensboro, North Carolina, at the Guilford Technical Community College. Just over 200 writers, including at least three NINC members, gathered for the opportunity to talk to and learn from professional police officers, private detectives, emergency medical technicians, firemen, anthropologists, lawyers, and lab personnel about their areas of expertise. We got to test bloodstains for the presence of heme. We got to watch a technician locate footprints on the tile floor of a classroom—dust! We’ve got dust!—and transfer them electrostatically to a plastic mat, and then fix them for later use (such as court testimony). We got to watch the recovery of evidence from under water (okay, in this case, a swimming pool). We got to locate and excavate a body from a shallow grave—yes, tromping out into the woods, in this case with a forensic anthropologist to guide us. We listened to Marcia Clark walk us through the legal process from filing a case through trial and conviction, with annotations on the opportunities for conflict and tension at each step. A female police officer gave us tips on self protection for women, and we got to practice them. She also answered questions about the problems unique to female law enforcement officers.

Have you ever wondered about police dogs, where they come from, how they’re trained, and why they do what they do? We got to see the dogs and talk to their handlers. We learned about the National Missing and Unidentified Persons System (www.namus.gov). We learned what a burned body smells—and looks—like (and a better incentive to vegetarianism you will not find).

Can you *really* get a useable fingerprint off human skin? (Maybe—but it has yet to stand up in court.) Can you get one off a textured surface? (“Sure. Let me show you how. First you take this fingerprint powder...”) Does human blood fluoresce when you use Luminol? (No. But you have *got* to see what happens when you spray the stuff on something you’ve cleaned with Clorox!) (And the blood—pardon me, the *heme*—will still show up.) You can use a driving simulator, a Firearms Training System. (Where else can you sit around a break room, aka “the situation room,” and listen to a fellow writer gleefully proclaim, “I just shot a bad guy IN THE HEAD”?) You can ask law enforcement officers how they interact with federal agencies, including the ever-popular FBI (which does *not* come in and take over cases arbitrarily).

The WPA was put together specifically to bring law enforcement and writers together so writers can get the details right—so they can talk to a real sniper and find out what a suppressor does, talk to someone about chain of evidence who has actually done the job. Every single presenter is actually working in the field. Lee Lofland, a retired police officer and a writer himself, has managed to convince a police training program at Guilford County Community College and five different sheriff’s departments, as well as an internationally known forensic supply and training company, SIRCHIE, plus professionals from all over the country, to come and spend three days *just to talk to writers, just to answer our questions*, to help us get things right. There is nothing else like the Writers’ Police Academy anywhere, and it is worth its weight in royalties. This is the place to go when you want to get it right. If you’re writing thrillers, cozies, paranormals—even if you’re writing sweet inspirational romances with a police officer for a heroine or hero—this is

Continued on page 14 ►



WRITING is TAXING

By Diane Kelly

What's New for 2013

It's a new year and we all know what that means. New tax rules! Many of you are probably just now gearing up to file your 2012 returns, but it's good to keep in mind the changes that take place in 2013 that will affect your writing business.

Standard Mileage Rate

The standard mileage rate has increased from 55.5 cents per mile for 2012 to 56.5 cents per mile for 2013. Not a big increase, but we'll take what we can get, right?

Be sure to keep an accurate mileage log since car expenses are a common audit item. Note, too, that the standard mileage rate is sometimes adjusted mid-year if events occur that significantly affect gasoline prices. For instance, after Hurricane Katrina hit Louisiana, gas prices skyrocketed. The IRS allowed a higher mileage rate for miles driven after the spike in prices.

SEP-IRA Contribution Limits

The SEP-IRA contribution annual limit has increased from \$50,000 in 2012 to \$51,000 for 2013. Remember, however, contributions are limited to the *lesser* of this annual limit or 25 percent of net earnings from self employment, which is defined as your gross earnings less deductible business expenses and the deductible portion of self-employment taxes. See IRS Publication 560 at www.irs.gov for more details and a worksheet to compute your maximum deduction.

You can set up a SEP-IRA and make contributions for a given year up to the due date of that year's return, including extensions. So it's not too late to set up a plan and contribute funds for 2012. Be sure the financial institution identifies the contributions as 2012 contributions; if they mistakenly apply them to 2013 and you later make a large contribution for 2013, you could find yourself facing an excess contributions penalty of 10 percent.

New Simplified Option for Home Office Deductions

While you will still have the option of computing home office deductions based on your actual expenses under the traditional rules, starting with tax year 2013 the IRS will allow taxpayers to instead claim a standard home office deduction of \$5 per square foot, up to a maximum of \$1,500 (300 square feet).

The new rule is expected to save taxpayers 1.6 million hours a year normally spent on recordkeeping and preparation of the home office tax forms. Taxpayers using the optional standard deduction will complete a much more simple form than the traditional home office deduction form, which is over 40 lines long.

The rules for eligibility will remain the same, meaning that a taxpayer is eligible to claim a home office deduction only if he or she uses a home office space exclusively for a writing business.

A taxpayer may change methods from year to year and does not have to use one method consistently. Thus, if you expect the actual expense method to yield a higher deduction in a given tax year, you may choose to use this traditional method for computing your home office deduction even if you have used the optional standard amount in the past. Once you make the election for a given year, however, you are bound to your chosen method for that particular year and cannot amend your return to change methods. The election is irrevocable. Also, if you and/or your spouse have more than one home office, you must use ▶

the same method for all home offices located in the same home. You cannot choose the optional method for one office and the traditional method for another.

Those choosing the optional standard method can deduct 100 percent of their property taxes and mortgage interest as itemized deductions on their Schedule A and do not have to pro-rate these amounts.

If you choose the optional method, you cannot claim depreciation on your home. The amount of allowable depreciation is deemed to be zero.

With both methods, the amount of home office deductions that may be used in any given year is limited to the net income from your writing business. With the traditional method, however, you can carry over the unused deductible expenses to later years. With the new optional method, you simply lose the benefit of the expense amount that exceeds your net profit. No amounts can be carried over to later years.

If your home office deductions averaged \$5 or less per square foot in the past and you do not normally have excess expenses to carry forward, you would likely benefit from using the optional method because your record-keeping burden would be lessened and your tax computations would be simpler. If your deductions were greater than \$5 per square foot or your home office deductions exceeded your net income and were carried forward, you would likely be better off using the traditional method.

Additional Medicare Tax

For wages and self-employment income above certain thresholds, an additional .9 percent Medicare tax applies beginning this year. The tax applies to married joint filers earning more than \$250,000 a year, to married separate status filers with earnings greater than \$125,000, and single and head-of-household filers with earnings above \$200,000. If your earnings exceed these thresholds, be sure to keep this additional tax in mind when computing your estimated tax payments due. The worksheet in the Form 1040-ES instructions will guide you in computing the appropriate amount to pay in each due date.

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



Getting It Write at the WPA

Continued from page 12 ▶ where you go to find out what happens, how it happens, to touch the equipment, to see what a jail cell looks like, to ride along with a police officer on patrol. Here you can say, "In chapter two, I have such and so happen," without worrying that the guy on the other end of the phone line is going to hang up on you (or possibly come lock you up). You can tell the reader (silently, maybe), "I have talked to a professional in the field, honey, and *I got it right*. I have seen it done. I have done it myself, and *I know how this works*."

And verily I say unto you, the time it takes is worth it. The latest information about the 2013 Writers' Police Academy is on the website, www.writerspoliceacademy.com.

Ashley McConnell has published short stories, poetry, and nonfiction as well as 17 novels in the fields of horror, fantasy, and media tie-ins. A longtime member of NINC, she also has belonged to SFFWA and SinC. She lives in the Southeast with two Morgan horses, nine cats, and a few goldfish in the horse tank. She is currently working on self-publishing her backlist and developing a new series.



Photo by Sabrina Ingram

Not Your Usual Writing Advice

By JoAnn Grote

Reaching for the Stars

“Yet when we have said all our fine things about the arts, we must end with a frank confession that the arts, as we know them, are but initial. Our best praise is given to what they aimed and promised, not to the actual result.”

— Ralph Waldo Emerson, “Art”

The idea for a story can be so glittering, so clear in the writer’s mind that it is almost a slice of “real” life the author is observing. The writer is filled with joy and anticipation at developing the story and sharing the idea with readers through plot and characters.

Alas, the writing never fully captures the pictures, events, settings, ideas, and people in the writer’s mind.

As writers, we know that it doesn’t matter how many people tell an author the writing is good, that they love the story, or that the author is a terrific writer. The author always knows he didn’t capture his ideal story, didn’t create the characters as in depth and true to those who lived in the world only he could see. What the author relays in words is always but a fraction of his vision of the story.

When we begin writing down a story, we struggle to describe with care what we see and hear. As we approach the deadline, we might feel the need to abandon our attempt to perfectly recreate the vision in order to fulfill a contract and get on to our next writing obligation.

“The work is not the vision itself, certainly...You try—you try every time—to reproduce the vision, to let your light so shine before men. But you can only come along with your bushel and hide it,” Annie Dillard commiserates in *The Writing Life* (HarperCollins). (Dillard is referencing the Bible, Matthew 5:15-16, here in the King James Version: “Neither do men light a candle, and put it under a bushel, but on a candlestick; and it giveth light unto all that are in the house. Let your light so shine before men...”)

In spite of the bushel basket, the writer has completed the book. Then an editor or reader or both tells the author that the completed manuscript or book is wonderful, that the author told the story of the reader’s life, caught an idea, setting, way of life, or feelings in a certain situation exactly, or that the characters are so real they get up off the page and walk around the room.

The praise reassures the writer. Maybe in expecting perfection, he was too hard on himself. He might think, feeling relief, “I am a good writer after all. I presented that person, idea, setting better than I thought.” Then the author cheerfully dives into the next story and goes through the entire process all over again: the excitement of presenting an idea/story to a reader, copying what he sees with care, and once more realizing—regardless of what readers or editors or critics say of his ability—he is not capturing his vision, not even close. Nor is he capable of it.

And should we have that capability? No artist in any media gives perfect life to his subject. NINC members are all novelists. Our stories present ideas and the intangible, as well as human beings and descriptions of tangible objects. How can we hope to capture something as complex as a human being in words, or even something such as a rock, which is, in comparison, simpler? An idea or theory may seem more concrete, less immense or complex by far than a human being, but maybe an idea or theory is even *more* difficult to capture or portray and thus easier to “tell” than “show” in a story.

In Bess Streeter Aldrich’s 1928 classic, *A Lantern in her Hand* (Grosset & Dunlap), the heroine and her daughter are artists who try to catch the look of the prairie in paint. One day Abbie says of her ▶

daughter's latest painting "It's there at last,...the light lying in little pools on the prairie. You've caught it... just as you said you wanted to."

"Yes," her daughter replies, "I believe I've caught it. But think, Mother. I've been trying for thirty years to get it as I wanted it."

Thirty years to catch one little aspect of the prairie. The more years I write, the less I believe that even after thirty years it is possible, in paint or in words, to fully depict what we see in our minds or the "real" world, though artists in every venue may come closer to the reality over the life of their work.

As NINC members, we are novelists, creators of stories, creators whose tool is language. Some people believe we are ourselves creations, created in the image of God, and that God is the Great Creator. We can try our best to capture a story, or a piece of the prairie, but as Joyce Kilmer said in her famous poem, "Poems are made by fools like me, but only God can make a tree." Our attempts to recreate that tree in any medium are imperfect.

I am well aware that the ideas I discuss in this column are never as fully or accurately presented as I wish. I am constantly aware that others have discussed the ideas before and presented them better.

Ralph Waldo Emerson stated, in the essay "The Poet," "For poetry was all written before time was, and whenever we are so finely organized that we can penetrate into that region where the air is music, we hear those primal warblings and attempt to write them down, but we lose ever and anon a word or a verse and substitute something of our own, and thus miswrite the poem. The men of more delicate ear write down these cadences more faithfully, and these transcripts, though imperfect, become the songs of the nations." (As I said, someone else has always said it better than me.)

Annie Dillard says in *The Writing Life* that in writing a piece, "The vision is not so much destroyed, exactly, as it is, by the time you have finished, forgotten. It has been replaced by this changeling, this bastard, this opaque lightless chunky ruinous work."

Though I understand what she is saying, I wouldn't describe the end result in those terms. I believe the end result, though imperfect from the writer's standpoint, may still be a glowing piece. The beginning vision is the star for which we reach; it inspires us, even though we know we will never reach it.

In spite of this, I see miracles in our writing.

When I read Nora Roberts' romantic suspense/thrillers, I'm amazed at how seamless her stories appear. Luanne Rice fascinates me with the honesty of her multi-generational women's fiction and how true her characters seem to real life. Roberts' or Rice's stories inspire to attempt once again to capture the stories that evade me in the actual writing. Isn't such inspiration a miracle?

The story ideas themselves are miracles.

That a kernel of an idea or character or theme grows into a story in a writer's mind is another miracle.

That readers are entertained by our stories is a miracle.

That in addition to entertainment, readers sometimes receive guidance, assurance, confirmation, healing, or hope—that is a miracle.

It's a miracle that what we, as writers, do manage to capture is sufficient to stimulate the readers' imaginations to the point the readers are able to enter into the worlds we create, and use them to co-create their own worlds and stories within our feeble creations.

It's a miracle that the readers (and sometimes us when we forget) believe that the authors have created the perfect stories they love.

As writers, we constantly reach for the stars we know we will never touch, but in the reaching we experience our own miracles.

Perhaps the greatest miracle is that, even though we fail every time to fully capture our visions to our own satisfaction, we continue to return to the struggle—and count it joy to choose the writing life.

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

Sales Tax Fairness in 2013?

Online sales taxing in the U.S. varies from state to state at the present time. The Supreme Court ruling in 1992 requires a physical presence for collecting sales tax so, of course, businesses created separate online entities. Some retail stores such as Walmart and Target started collecting in 2003 for online orders.

State rulings vary. Barnes & Noble is negotiating with New Mexico about sales tax from 1998-2005, while Illinois says the online sales tax violates the Internet Tax Freedom Act. Amazon taxing can depend on the publisher's tax reporting. Random House charges in every state, but Hachette Digital only charges in 24 states.

Vermont has passed a state tax law that won't go into effect until 15 other states pass one like it, but businesses doing more than \$100,000 annually in Vermont have to notify customers about its use tax. South Carolina expects this of Amazon between now and 2016. Amazon has been fighting state online sales tax, but recently became a federal online sales tax legislation supporter. More cynical observers think this is due to Amazon's next day delivery scheme about to begin in New York, Los Angeles, Seattle, and suburban Virginia outside Washington D.C. There is a great deal of speculation that the Marketplace Fairness Act, <http://thomas.loc.gov/cgi-bin/query/z?c112:S.1832>, will be seen again in the 113th Congress in 2013.

States & Online Sales Tax Legislation	
No Online Sales Tax of any kind (5)	Alaska, Delaware, Montana, New Hampshire, Oregon
Collects Online Sales Tax (8)	California, Kansas, Kentucky, New York, North Dakota, Pennsylvania, Texas, Washington
Will Collect in 2013 (4)	Arizona, Massachusetts, New Jersey, Virginia
Will Collect in 2014 (3)	Indiana, Nevada, Tennessee
Will Collect in 2016 (1)	South Carolina

Publishers Weekly, briefed by Sally Hawkes

Business Briefs

Merger Update: DOJ has no objections

The U.S. Department of Justice closed its investigation into the proposed merger of Penguin and Random House "without conditions." With the proposed merger still under review by the Canadian Competition Bureau, the European Commission, and other antitrust authorities, it's too early yet to start using the new company letterhead.

Daily Book World

The Mad Scribbler

By Laura Resnick



Grab a Tiger by Its Long Tail

“In an era without the constraints of physical shelf space and other bottlenecks of distribution, narrowly targeted goods and services can be as economically attractive as mainstream fare.”

— **Chris Anderson**, *The Long Tail: Why the Future of Business Is Selling Less of More*

In his keynote speech at the 2007 NINC conference, Chris Anderson explained his Long Tail theory to us, discussing how our culture was shifting away from a small number of mainstream markets and products toward an enormous number of niche markets and products. In the six years since I attended that speech, the various ways the Long Tail can benefit writers have become more apparent, and the possibilities keep multiplying.

The ebook market is the most obvious example, of course. Although self-published mega-sellers are the best-known success stories, a huge range of writers are making real money these days via self-publishing—and often doing so with sales figures that would be considered a “failure” or “not worth our time” at a major house. Thanks to new technologies and distribution mechanisms, a lone writer can now *effectively* publish and distribute her own books for a very low overhead, and she gets a very large percentage of the sales proceeds.

For precisely these reasons, although my twenty-book backlist was generally considered worthless in 2007 (and, indeed, wasn’t earning me a penny), that same backlist accounted for one-third of my 2012 income. Now that new technology and distribution channels have made our industry’s tail very long, I am able to earn a significant portion of my income from old books that sell quite modestly in the new e-market. The most significant change we’re seeing, in my opinion, isn’t that some writers are becoming wealthy bestsellers with self-published books that publishers rejected, though that is indeed great news. The biggest change, I believe, is how *many* writers are experiencing an increase in their writing income—whether their earnings were previously munificent or nil—because of Long Tail economics.

And ebooks are just the most well-known example, not the only one—not by a longshot. Many creative new income opportunities are being explored in our era, possibilities that didn’t previously exist for writers (at least not in any practical or widespread sense). I’ve been studying such endeavors since I finished unpacking my new office and started focusing on my future. After all, as the proud new owner of my first house, I now owe epic sums of money to my mortgage bank, and I’ve discovered that this creates a powerful motivation for contemplating foul phrases like “additional mechanisms for monetization.”

Crowdfunding, for example, has become a viable path for launching all sorts of writing projects. Crowdfunding is a means by which individuals (for our purposes: readers) contribute money to support a project, typically in exchange for receiving some form of benefit as investors. In simple terms, this means the writer gets an advance from readers rather than from a publisher.

If you’re unfamiliar with crowdfunding, I recommend Elaine Isaak’s excellent article on the subject in the March 2012 edition of *Nink*, available in the members-only archives at Ninc.com. That article also discusses Kickstarter.com, the best-known crowdfunding site. Additionally, I recommend sf/f writer Tobias Buckell’s

December 2012 blog post, [How I Used Kickstarter](#), which is a detailed description of the author's successful Kickstarter experience and his practical recommendations about using this crowdfunding tool. (<http://www.tobiasbuckell.com/2012/12/17/how-i-used-kickstarter-to-reboot-a-book-series-and-my-career-and-maybe-my-life/>)

Which is not to say that Kickstarter is the only way to fund or structure a crowdfunded project. Far from it! I'm learning that there are various ways to combine social media with earning income that do not involve blaring **"Buy my book! Buy my book!"** at innocent bystanders every twenty minutes, which is the sort of prevalent behavior that gives writers *and* social media a dreary reputation.

For example, struggling sf/f midlister Catherynne M. Valente realized a few years ago that her bills were piling up faster than her advance checks were coming in. So she used her blog to launch the Omikuji Project in 2008 "to connect with my readership and find a way to bridge the widening and worrying financial gap between novels." (*Omikuji* are fortunes written on small strips of paper in temples in Japan, where Valente lived for a couple of years.) At the start of every month, subscribers received a new, original, unpublished short story by Valente—a story which remained exclusive to this project—as well as a personal letter and "a small piece of visual art to accompany it, and any other thing I can duplicate sufficiently." (I believe that some months Valente, who is also a much-published poet, included an original poem with the story.)

The subscription fee was very affordable (\$5-\$10), with a choice of delivery methods. For the cheapest rate, you received the story by email as an attached PDF file. For the higher rate, the story was printed on high-quality paper, autographed, sealed with a red wax seal, and mailed to you.

Valente also created a community blog for Omikuji subscribers where they could interact with the author and each other, discussing the stories that only *they* got to read. (Anyone could read the blog, which is still online, but only Omikuji Project members could post.) In 2010, Valente released *This Is My Letter To The World: The Omikuji Project, Cycle One*, a collected volume of the first two years of the project; the Introduction was written by Members of the Omikuji Project Community.

The author recently announced that she will release a second volume collected from the Omikuji Project. She has also decided to close down the project in April of this year, due to the growing demands of her workload. As Valente notes in her farewell announcement, "Five years is an AMAZING run for a crowdfunded art project."

Nor was this the author's only success with employing social media and crowdfunding in her work. In another fundraising effort to keep the wolf from the door, she also started writing a new, uncontracted YA novel which she posted online at a rate of one chapter per week, on a website created for the book, *The Girl Who Circumnavigated Fairyland In A Ship of Her Own Making*, (<http://www.catherynnemvalente.com/fairyland/>). She asked readers to put money in the website's tip jar (i.e. send a voluntary payment to the author via the PayPal link) if they liked the chapter they read. The website also included community-building activities, such as a contest for the most creative items contributed by readers to the site's virtual museum, which was based on the world of the book.

The website is now dormant and some of the finished novel was removed after Valente subsequently sold the book to a MacMillan YA imprint. The hardcover was released in May 2011 and made the *New York Times* bestseller list. When announcing this news on her blog, the author wrote: "I am just so grateful. To all my citizens of Fairyland who had faith in me and this book."

Obviously, a number of factors contributed to the success of these two creative crowdfunding ventures, including Valente's rising profile in the traditional publishing world, where she was releasing novels and short stories throughout the same period, as well as winning awards and getting nominations.

There are key features of these projects that are worth noting, though. First, this author already had an established online presence and blog community when she began each of these projects. Also, Valente created and nurtured communities built specifically around each crowdfunding project. In these communities, she developed activities that fostered reader engagement, such as contributing creative objects to the virtual *Fairyland* museum. She was also offering something original, something of value in exchange for subscription fees or voluntary donations. In the case of the Omikuji Project, Valente was also offering something personal—the individually signed and sealed mailings of stories which remained unavailable to the public for a couple of years. ▶

And speaking of something of value... Another interesting online subscription project was launched about three years ago by Tracy Hickman and his wife Laura Hickman, both fantasy writers with strong résumés and a big readership. In addition to their contractual work with publishers, the Hickmans have been writing an original fantasy series for subscribers at Dragonsbard.com. Each week, participants receive a new chapter which is available exclusively to them; when the novel is completed, each subscriber receives a numbered, signed, limited-edition hardcover of the finished novel. Eventually, the finished novel is released in a general edition which is available from booksellers. The subscription project has evolved to include various pricing plans and additional related projects, such as *St. Nicholas and the Dragon*, a Dragonsbard Christmas story that's available as an ebook. Community building is again a strong factor in this project. An invitation to potential Dragonsbard subscribers reads: "Join our crew early and experience the writing process from concept stage through the final printing of the book. Get to know the authors personally, experience the journey of writing the novel and come to know others in the [subscriber] community."

Obviously, crowdfunding and author-generated subscription projects aren't predictable, reliable, or fool-proof means of paying the bills; but do let us remember that neither is writing a contracted novel for a publisher. (I, for example, have had various publishers dump me or fold under me, including canceling deals mid-book and mid-contract.) However, although such projects contain their own risks and pressures, they are fiscally and artistically empowering means of earning income directly from readers, and they're good examples of how the Long Tail is changing our profession by expanding our options and opportunities.

Laura Resnick invites you to send her information about writers creating and employing various Long Tail strategies, so that she can include those examples in a subsequent column on this subject: LaResnick@sff.net.

Business Briefs

Indie Booksellers sue Amazon & Publishers

Three independent bookstores in New York and South Carolina have sued the Big Six publishers and Amazon, claiming their contracts violate antitrust laws and cut smaller competitors out of the e-book market. The lawsuit alleges secret contracts between Amazon and the publishers and focuses on Amazon's DRM and the proprietary format used by Kindles and the Kindle apps, which effectively compel consumers to purchase their e-books for those devices only from Amazon. The publishers instead argue in favor of an open-source or standard format that would allow e-books purchased from any source to be downloaded onto any device.

New York Times