

N I N K

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Designing an Effective Cover

BY PATRICIA BURROUGHS

We all have them—dream covers in our mind’s eye, those covers we wish we had. When I started bringing out my backlist, I suddenly was in the power seat, able to make my own choices, and I was thrilled with them. However, as time passed, I began to realize I wasn’t getting the click-throughs I ought to have. I finally understood that covers that were professional and gorgeous—covers that brought oohs and aahs from other authors and looked great on the site—didn’t necessarily pull in readers.

Some writers have their fingers on the pulse of their readership, but I am witnessing many more of us who do not. That is why I set out to do some market research with this question in mind: What is the most effective cover for my latest book, *This Crumbling Pageant*, a dark epic fantasy with romance and YA crossover appeal?

I was determined not to make the same mistakes with this book, and my publisher (Story Spring Publishing) was very vested in my research. We recognized that our target audience goes beyond that of epic fantasy because of a strong, passionate love story subplot and a YA-aged heroine, whose coming of age journey this tale covers. With this audience in mind, I set out to create a cover that would accomplish these four goals:

- ▶ Appeal to epic fantasy readers,
- ▶ Appeal to romance readers without appearing to be a romance novel and causing other target readers to ignore it,
- ▶ Appeal to YA readers without appearing to be a YA fantasy and causing other target readers to ignore it,
- ▶ Appeal to men without losing the elements that attract women, the largest target readership.

As you can see, our challenge was complex. I’d written a cross-genre book and, optimally, we needed a cover that could appeal to all of our potential readership without alienating any of it. A review of current successful epic fantasy and romance covers gave us a fairly good feel for what is typical in each genre. The most difficult challenge? The potential YA readership.

The Crumbling Pageant has a YA-aged heroine. The love interest is older. Think 30-something-year-old Carlisle Cullen as opposed to 17-year-old Edward of *Twilight* fame. My book is first and foremost an epic fantasy. There are plot reasons for the age discrepancy. Plus, in my story’s time period, the early 1800s, this isn’t such an odd pairing. Though the book definitely appeals to a lot of YA readers, would the older hero be such a turn-off that the crossover would be too small to worry about?

I read and love a lot of YA, but I’m not deeply knowledgeable about what Continued on page 5 ▶

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Complete committee member listings
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Central Coordinator:

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

Website:

<http://www.Ninc.com>

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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:

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Getting My Groove Back



Meredith Efken

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I admit it—January and February were rough months for me for my writing. I was in a funk. Contracts are not rolling in, I have yet to break 100 Twitter followers, and I'm nowhere close to getting a million reads on Wattpad (and that's giving my work away for FREE). And let's not even discuss my most recent royalty statements.

I remember before I was published, it was easy to feel discouraged, but I was always able to pull myself out of it: "You're still learning—you'll get there." "It's just a matter of timing—it'll happen." "Keep working—you'll make it." Eventually, I did. And that's when it got even more difficult. Now, having been published several times, it's a lot harder to tell myself the problem is just a matter of improving my writing. Everyone agrees the writing is strong, and no one has any particular suggestions for improvement.

So I'm stuck waiting for the timing to be right again, or to have just the right story that will resonate with enough readers to restart my momentum. The harsh truth is that this is largely outside my control. That's what is most discouraging—the knowledge that it's possible to work hard and do all the right things and have a great story, but still not see adequate results.

I mucked around for a few weeks in a very impressive, lavishly thrown pity party. I think throwing a big strop like that sometimes is probably cathartic. But it doesn't do anything to solve the problem. What I needed to do was just keep writing. If the publishers won't publish me, I need to have a collection of books I can indie publish. (My backlist is pretty much permanently unavailable to me.) I need to work on new projects. I need to move forward.

Hard to do that when I was telling myself all sorts of wildly negative things about my own ability, my career prospects, and myself as an author. (I'll spare you the details—you can probably fill them in yourself.)

I think the pity party is over (for now, forever?), and here's how I put an end to it:

I had to get back to my first love. Instead of getting caught up in how other people were responding (or not) to me or my work, I had to get caught up in the passion for my story again. The story is all that can matter. I have to write for the love of The Work. This is easier said than done when we live in a real world that expects ▶

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Recommend membership to your colleagues. Prospective members may apply online at <http://www.ninc.com>. Refer members at [ninc.com](http://www.ninc.com). Go to Members Only, "Member Services" and click "Refer a New Member to NINC." Take NINC brochures to conferences.

us to pay real bills with real money. But I couldn't get my groove back until I squeezed out those real concerns and let myself find the joy of my story again. I did this by taking time to daydream, to fantasize about my story and characters, letting my mind be filled with them and remembering why I created them in the first place.

I reminded myself of what I have going for me. I am a good writer—the (few) people who have read my work generally love it. If I indie publish, I have hordes of friends (you all included) who are standing by to guide me and give me support and ideas. I have an agent who believes in me and loves my work. I have a good social media plan, a good website, and I am generally doing the things I am supposed to do.

I also reminded myself of encouraging truths: authors with huge social media followings do not necessarily get a spike in sales from those followers. We authors have options now that we didn't have a few years ago—there are more paths to success than before. The best way to succeed as an author is to have a lot of content—and I am nowhere close to running out of ideas.

I asked my author friends for support. It's so easy to forget this—writing is so solitary a work. But we need each other. My friends are a source of valuable information, and much-needed encouragement. After all, we've all faced similar challenges.

And finally, I committed fresh to writing new content, even when I don't feel like it or it seems useless. One of my friends challenged me recently to play a game with him—the “let's-write-at-least-500-words-a-day-no-matter-what” game. Such a simple game, few rules. Just new content, every day. If we fail, no guilt, just try again tomorrow.

It's working. This week, I put down almost 13,000 words in new content, started a new manuscript, and had the joy of waking up one morning with the story on my mind. My problems are all still there—lack of a new contract, fears about adequacy if I indie publish, etc., but they aren't paralyzing me as they once did.

Discouragement is always going to be our enemy as creative people. And we may have to defeat it more than once ... a lot more than once, maybe. I think knowing how to manage discouragement is probably just as important for our careers as how to structure a story or create a character. And it's likely way more important than how to tweet or make a Pinterest board.

But just like any other skill I've had to learn in my writing career, I'm learning this one too. Watch out, discouragement—I'm going to destroy you. I'm a kick-ass writer, and you'd better stay out of my way.

— Meredith Effen

NINC News....

Webmaster Transition

After many years of serving as NINC's webmaster, interacting with many Boards and the general membership, Tina Haggard (http://www.fingertek.com/about_fingertek.html), is leaving us to pursue other avenues in her work. We want to wish her success, and we're sorry to see her go. Effective May 1, Aaron Brown will be the new NINC webmaster. Aaron recently joined NINC and publishes under the pen name Ethan Cross.

Designing an Effective Cover

Continued from page 1 ▶ works and doesn't work once you start blurring the lines. I discovered that a lot of people I know and respect had opinions about what YA is, about what would work on a YA cover, but they, like me, weren't actually members of the YA fandom.

Enter the experts! One reader blog I follow, <http://shouldbereading.wordpress.com>, has a lot of YA readers. I find most of my YA books by the recommendations I see repeated on that blog's weekly WWW Wednesday meme. Miz B, the site owner and book blogger was starting her new business, <http://mizbooksmedia.com>, providing various author services. I contacted her with an idea: if I created a survey for YA readers who also love and read epic fantasy, would she post the link and point people to it for a week on her blog? We quickly came to a very reasonable financial agreement and she followed through brilliantly, putting the link to the survey (<http://shouldbereading.wordpress.com/2014/01/06/attention-ya-fantasy-readers/>) at the top of her blog daily for a week in order to catch all the readers who followed her various weekly memes.

IF YOU ASK THE RIGHT QUESTIONS, YOU MIGHT GET THE RIGHT ANSWERS

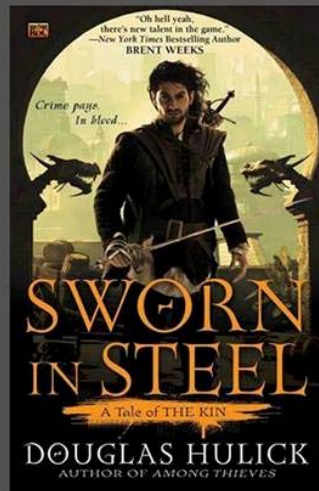
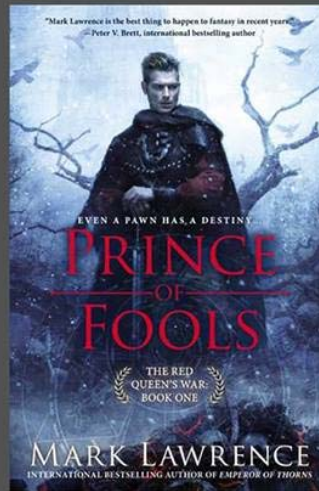
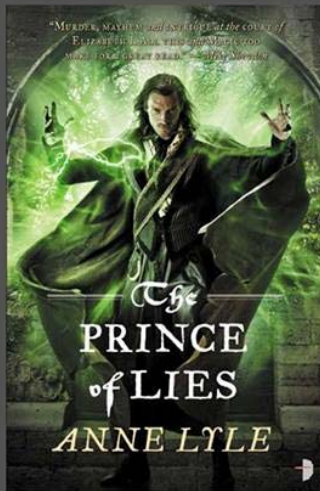
All that was left was to create the survey (<http://surveymonkey.com/s/dl6chmc>). Survey Monkey is a free site as long as you don't go over ten questions (<http://surveymonkey.com>). This meant combining several images in a single question, which wasn't optimal but kept the process affordable. At this point, you might want to check it out before we move forward. I can't reproduce it all here, but I'll post key items as possible.

I first came up with a multiple choice question to identify the demographics of the respondents. These are the results, the self-labeled demographics of the 48 respondents.

	25% or less	Around 50%	Around 75%	Around 100%	Total Respondents
Approximately how much of your reading is YA?	15.22% 7	30.43% 14	32.61% 15	23.91% 11	46
Approximately how much of your reading is epic fantasy?	34.78% 16	41.30% 19	19.57% 9	4.35% 2	46
How much of your decision to select a book is determined by the cover?	19.57% 9	39.13% 18	36.96% 17	4.35% 2	46

I knew there would not be a guy on the cover of this book or on any of the series covers. But since I was asking questions, I realized there was a stealth question I could ask without them even knowing I was asking. Remember the Carlisle-not-Edward issue? The “will YA readers revolt at a romantic love interest who isn't age-similar to the young heroine” dilemma? I found four epic fantasy covers with guys on them. Guys who were definitely not teenagers.

Number One was not particularly well-liked by the friends and fellow authors I polled and has the added issue that the cover is very green. Magazines avoid green covers because they don't sell. This guy has ▶



green lightning coming from his fingertips and splaying all around him. I liked this cover for several reasons, some of which are particular to my book, so I used it for the survey.

Number Two is a classic blond with chiseled features, the guy I figured would get all the love.

Number Three is hooded without a face showing. I was surprised that a number of my friends and fellow authors didn't like it, but I did for Reasons, and again, it went in.

Number Four got a lot of love from my friends. I needed another cover, so in it went.

Respondents got four options on each image:

- ◆ Love it, would click through.
- ◆ Like it, might click through.
- ◆ Meh, probably would ignore it.
- ◆ Hate it, would never click through.

The hooded guy with no face showing won the contest with much love and many likes. But a very, very close second was the guy with green lightning. (Fist-pump!) And the other two guys? The hot guys? They had nowhere near the support and also had many complaints. Respondents were rolling their eyes and tired of guys just standing there looking hot. Even the guy holding a sword was described as “posing.”

THREE MIND-BLOWING TAKEAWAYS MY EDITOR AND I DIDN'T EXPECT

ONE: Not a single respondent commented about age in any way, even though they believed they were looking at a YA book. (You can imagine my happy dance.) I had the answer to the stealth question—the real answer I was looking for. Additionally, we now are considering putting one of the male characters on the cover of the second book, something we hadn't considered before.

TWO: Several comments about guys just standing there vs. guys doing something, looking powerful and active. So many slams against beefcake/hot guy covers in general as being generic and boring! (I remind you these were not romance readers, but YA readers who also self-identified as epic fantasy readers, and most of them said at least 50 percent of their reading was epic fantasy.)

THREE: The two covers that got the major kudos both showed magic. Even though they were all for epic fantasies, two of them had no magic on the cover. Really? A fantasy without fantasy on the cover? Hooded-guy had merely a soft magical glow on the tip of his sword but had an amazingly physical stance. Lightning-guy's entire cover was magical, and of course, his stance also showed power. I did not think that was just incidental to those covers wiping up the competition.

THE REAL PURPOSE OF THE SURVEY—THE GIRLS

Our primary goal was to find a 17-year-old girl to put on the cover. We'd combed through various stock agencies and found one we loved-loved-loved and couldn't afford (\$1500-\$3000) and then dozens of others that weren't quite right. Finding a girl who literally looked like Persephone Fury wasn't even on the radar anymore. Instead, we settled for looking for a girl who didn't look UNlike her in any blatant way (knowing that Photoshop could create her unusual hair) and who would appeal to a YA readership.

One image of a thin girl with sleek long, straight hair and "spooky" eyes (according to one naysayer) appealed to me and got the thumbs up from a YA author who said she was exactly right for the target readership. My editor, Diane Tarbuck, found another girl she loved and I liked her, too. I included the expensive image because the figure was hooded with no face showing at all, and we considered that as an option.

And I included the image that everybody hated except for me. Well, she's in a tacky dress, and as one survey respondent said, she looks like the love child of Christina Ricci and Helena Bonham Carter. She has tattoos on her face, which my character doesn't. And I love her. I had a hunch, and I stuck her in there. Since I also bought the rights to her image for another purpose, I'll share it here. See?

What's not to love? Other than the tacky dress, etc., etc., etc.? Oh, hush.

The same range of answers was offered:

- ◆ Love it, would click through.
- ◆ Like it, might click through.
- ◆ Meh, probably would ignore it.
- ◆ Hate it, would never click through.



Photo credit: ©Vagengeym/Dreamstime.com

EDITOR'S MIND IS BLOWN AND POOKS TAKES A VICTORY LAP

ONE: The respondents LOVED the expensive image, and it is so beautiful, who can blame them? The love was darned near universal, not even "likes." No complaints about not seeing her face. In fact, some people were thrilled not to have a face there. Note: including this image may not have been a good move. When people loved it, the issue was muddied by the "how much of this is response to the entire piece of art and its hi-rez, complete beauty compared to stock art photos?" question.

TWO: The girl with the long, sleek hair that I liked, plus she was the YA author's choice? Oh, how many ways can I express the range of meh-to-hate? She looked like a shampoo commercial. She was too perfect, too boring. Just another pretty face. The negatives went on and on. That spooky, haunted quality in her eyes? Either it wasn't noted at all or she was perceived as an abuse victim.

THREE: My editor's favorite? Similar reaction. Meh-to-hate, hate, hate. (By the way, she has shown up on another book recently. Evidently somebody else loved her, too.)

FOUR: Christina-Helena? Was showered with "likes." Two or three "loves," but many, many likes. More than the other two put together and then doubled! I was right about her! Her image didn't work, but readers were drawn to her. I believe she got "likes" because of her dress and would have gotten "loves" in a better costume.

WHERE WE GET AN ANSWER TO THE QUESTION WE DIDN'T ASK

Everybody we'd informally polled had missed the mark on what real YA readers (not writers) were responding to. But it wasn't just what the girl or guy looked like. Clearly what mattered more to these respondents was what they were doing, or not doing. And most of that came through in the comments about the guys. The answer to our cover question wasn't in the girls' section after all. It came from the comments about the guys that I threw in there as a little extra info on the side, not meant to actually influence the cover art at all. Action, strength, power, magic ruled. Not hotness (although it was sometimes noted favorably, it wasn't the key element).

OH! DUH!

And then, the revelation. My heroine is my “hero.” The things readers were identifying as desirable in the guys were exactly what I needed in a girl. The power stance. The magic. The “not just standing there” but power and energy. This eliminated the template we’d included in the survey, the cover of Kate Elliott’s *Cold Magic*, another fantasy series with a YA-aged girl (and age-similar hero) that found wide readership among all our targets. Fabulous cover, but many respondents pointed out her passivity.

That potential power and energy is what Helena-Christina had that the others didn’t. This also was visible and strong in the expensive image. And most importantly, Persephone Fury is the hero in my hero’s journey, and though it starts off in the most girly of ways, this journey is as physical and dangerous and actually masculine as any boy’s you’ve ever read about. Persephone needed to be a girl with a guy-ish pose.

NARROW DOWN AND CLEARLY DEFINE WHAT YOU WANT

We went to Kim Killion with our desires. (www.thekilliongroupinc.com) Why Kim Killion? She does amazing romance covers, so we knew she could touch the pulse of the romance reader even without a typical romance cover. We also found some more classic fantasy covers on her site, so we knew that she could hit that target, as well.

We gave her our three primary needs in the cover. **ONE:** A young woman with dark, dangerous powers (action/power is essential). **TWO:** Magic—a sky full of lightning-like glowing magic would be one way, or showing something appropriate; also, magical glow, sparks, etc. coming from her fingertips. **THREE:** Ruins (to tie in with the title).

And for bonus points, I included a link to a stock photo of a guy whose eyes would be perfect for the menacing villain in the background, whose magical powers are largely manifested by said eyes. I asked if she might do anything with them, perhaps put them at the top of the cover, asked her to play around with them.



Photo credit: ©Peterpolak/Dreamstime.com



Kim happened to have a 17-year-old in her home for the next few hours, and after we approved her, they did a quick, custom photo shoot. We ended up with two or three dozen fabulous poses to choose from. For the male readers, we have not only magic and an attractive, powerful young woman, we have the guy with the eyes.

When I showed his entire face to people at my publishing house, they quickly christened him “hot Jesus,” which was not exactly the idea I had in mind, but shows how sometimes details taken in isolation can be different from the whole. Since then he has progressed to “scorching Jesus.” (I don’t think Jesus will mind, not really. He hung out with a fun crowd.) Both guys and teenaged girls responded to those eyes. Okay, and middle-aged women, too.

Photo credit: ©Peterpolak/Dreamstime.com

**Here is the magic
Kim Killion wrought.**

My conclusion? I love this cover. It's not a cover I would have come up with on my own, and it's nothing like the dream covers in my head. But feedback is already strong. A 14-year-old boy told his mom he would read that book, he was sure, and so would his girlfriend. A 21-year-old guy SFF reader told me the cover rocks. It seems to be hitting its targets, and more importantly, it isn't accidentally pushing any of the target readership away.

BUT THE JURY IS STILL OUT

Every cover is an experiment. We've done our research and taken our best guess. If the cover doesn't work, we'll ask questions and learn more, and if it *does* work, we'll do the same.

As writers, we need to keep in mind that the cover is a book's primary marketing tool. It doesn't matter what we think is pretty, or whether we think it represents our book perfectly. Its job is to invite people in ... to click through or to pick the book up off the shelf. It's all about what the reader wants, not what we want, and if we want our books to have a chance to be read and loved and recommended, we need to make sure our covers speak the reader's language. ▲



Business Briefs

Compiled by Sally Hawkes

Book Sales Up One Percent for 2013

The Association of American Publishers announced Statshot results at the beginning of April. The one percent increase came from reports of 1,211 publishers. Adult books showed a .8 percent increase even though the 2012 numbers included the Fifty Shades set. Children's and YA didn't fare as well with a decline of 6.6 percent in 2013 since the Hunger Games trilogy was included in the 2012 comparison. E-book sales were up 3.8 percent. Trade paperbacks were down 9.3 percent, and mass market declined 7.7 percent.

PW Daily

Second Independent E-book Retailer Closes

Diesel eBooks shut down their web site on March 31 after ten years of business. This may not be final but the company is looking at options for future business. BooksonBoard stopped e-book sales last April.

PW Daily



Celebrating the Best of NINC

Tradewinds Hotel, St. Pete, FL
October 22-26, 2014

NINC's 2014 Conference, By the Numbers

You're reading this in May, so add a few more numbers in your head as you read, okay? As of April 4th (because Nink has a deadline), this is how our 25th annual conference is adding up:

Registered Members: 175, coming from 27 states, from California to Maine, North Dakota to Texas, and four other countries.

Industry Guests: 28, and we're still adding more.

Informal Night Owl sessions for NINC members only: 18

Total daytime workshop hours available, not counting the four First Word panels: 39

Some will be two-hour workshops, some will be stand-alones, some hours will have three workshops running concurrently.

And now (talk about burying the lead), the info on First Word:

Number of First Word day panels: 4

Number of experts from diverse areas of the industry serving on each panel: 8

The topics? Here you go:

Panel One: The Future of Publishing: Take One

There are indications that print is unlikely to drop below 50 percent of the market anytime soon, and numbers are out showing e-book sales leveling off and even dropping. Yet many print houses are still cutting budgets (and authors) and being ultra-conservative, especially with fiction. They seem very slow to evolve their business models, including their handling of career authors. E-publishers and indie authors are dependent on the new same-old-same old, even as what seemed innovative a few years ago becomes perhaps old-hat, and price seems more and more to be the main draw for the tablet reader. As we head for 2015, in what areas do publishers and authors need to expand and/or revise their publishing philosophies in order to maintain and build mutually profitable relationships?

Panel Two: Yo! Here I Am! Buy me!

There's a large international market out there, but how do authors best tap that market? There has to be life beyond the free or 99-cent book promotion, rare chances at online promotion from distributors, and most publisher support (individualized cover art, discounting, promotion, even editing), limited to bestselling authors. Short-term gain, long-term stagnant sales: these aren't what authors bargained for in either print or e-books. The majority of authors must rely on themselves for promotion, editing, and more, so where should they be spending their bucks? Is all the downward pressure on pricing for every delivery system a trend, a long-term workable plan, or a possible death knell to publishers and mid-list career authors?

Panel Three: Rights: Yours, Theirs, and Ours.

Rights. Getting them back, holding them, selling them again, bargaining for more of a two-way street in new contracts in light of today's publishing atmosphere and marketplace. What should the new print and/or e-book contract look like? At what point does an author or publisher benefit by walking away? Is slapping a title into POD actually putting it back in print? Should there be a clear-cut standard contract clause on what constitutes out of print, and what should it contain? How willing are today's authors to sign away future rights, with little or no legal opportunity to cut ties when the publisher is no longer doing anything with their

rights other than holding them? What will attract, bring back, the career authors who have found more autonomy and even more sales by self-publishing?

Panel Four: The Future of Publishing: Take Two.

The five-year plan: when we look ahead, what will we see? Audio, yes, but what else? TV and Netflix movies, serials, books on your wristwatch, reader-interactive tools incorporated into novels? Is there something to be gained (or lost) with subscription models like Oyster? Where’s the action, what’s hot, and even more importantly: what’s next? Then step beyond the delivery systems. Print houses have stiff competition now at all levels. What needs to be changed/maintained to keep the print house business philosophy sound and profitable? Then flip over to the self-published and e-published authors: are they in danger of becoming too complacent with the new technology’s ability to sustain its current rate of growth?

Wow, huh! And thanks to the many, many NINC members who answered the conference committee’s question: What do you want to hear, ask, and talk about in Florida?

Now take a moment to go back and read Lou Aronica’s article if you haven’t already devoured it and are still left with dozens of questions and concerns, because First Word panelists are going to address them in Florida.

The speakers have the panel topics now, and are in the process of choosing those in which they want to participate (in order of their most-wanted panel placement). Of course, we are seeking diversity on each panel, from publishers, to agents, to authors, to lawyers, promotion/advertising, and distribution. We could not have a more rewarding job than building panelist participation slots, thanks to all the amazing industry guests who have agreed to speak with us in Florida, but they’ll each serve on two First Word panels that day.

All panel members are then given their choice of topic for their stand-alone workshops during the main conference, and we’re all looking forward to terrific, informative workshops from some of the best in the business!

One hundred seventy-five NINC members are already coming to Florida in October. Is your name on that list? It should be. Member, Industry, Author Assistant, First Word Only, and NINC Applicant registrations are all still available.

Register today at http://www.ninc.com/conference_center/

— Kasey Michaels, Chair



Have you done ANY of your FAST FIVE?

Help NINC become a familiar name to readers and other writers.

1. Your email signature line (Log-in to NINC’s website, go to Member Services for the NINC logo. If your email is in plain text, graphics won’t appear, so write out Novelists, Inc.)
2. List the 2014 NINC Conference on events on your web page and Facebook page
3. Add the latest NINC anthology title (when it’s available) in tag line as well as your current book title
4. Mention your Novelists, Inc. membership in your bio on your web page, and in your book
5. Add a shout-out to Novelists, Inc. as part of your book acknowledgment.

The Social Media “Wave.” With member participation, we’re using social media to tell the world why NINC is so great. Why call it a wave? Instead of everyone sending the message out at once, we’re spreading it throughout the year.

— Sally Hawkes

Months for message	Authors Last Names starting with
January/February	A,B,C,D,E
March/April	F,G,H,I,J,K
May/June	L,M,N,O,P
July/August	Q,R,S,T,U
September/October	V,W,X,Y,Z
November/December	Everyone bragging about the conference

Lou Aronica's
**Eye on
Industry**



Slightly Up is the New Down

A few years ago, just before the e-book boom, a publishing friend introduced me to a catchphrase that had become commonplace at her house: “Slightly down is the new up.” She told me that it had become standard practice at marketing meetings to feel at least some sense of optimism when a writer’s track record showed only a moderate decline, as opposed to the steep drops so many authors were experiencing.

Then the Kindle happened, followed by the NOOK and the iPad (with its Kindle and NOOK apps, along with the excellent iBooks app that no one seemed to want to use at the time). We all know what came after that: consumer excitement unmatched since the dawn of the mass market paperback, a long run of triple-digit growth followed by another long run of high-double-digit growth. More important for authors came unprecedented levels of freedom, the ability to publish oneself in a genuinely effective way, to control one’s own destiny, to outperform the New York houses, and to earn more than you’d been earning in years. The e-book was a true game-changer, eliminating such heavy financial burdens on the publishing process as manufacturing, distribution, and returns. You could keep prices low and still make a profit, which made readers happy and made them very active consumers.

Well-informed analysts began prognosticating: e-books would be the leading format by 2013, would be 50 percent of the overall book market by 2015, and would be 75 percent of the market by 2020. Print would become the vinyl of the book world, something embraced only by purists and aficionados. For many of us in the industry, this was the best possible news. An e-book-dominant business would be a healthy, profitable, and democratic business. The midlist would thrive, new stars would be born, and everyone other than the printers and the field sales people would make money.

Here’s the thing, though. The Association of American Publishers just announced their figures for 2013, and adult e-book sales grew a total of 3.8 percent over the course of the year. The format also continues to be the third-largest trade book format, 17 percent behind hardcovers and a little less than five percent behind trade paperbacks. (I’m focusing on adult books here, because the AAP numbers combine children’s and YA books, which means that picture books are included, and very few of our members write those. However, if we included children’s and YA e-books, e-book growth would be .2 percent in 2013.)

On the surface, growth is growth and, on top of this, these numbers come with three big caveats. One is that the AAP numbers are dollar figures and the year saw a one-time adjustment in unit prices as the agency model began to go away after the DOJ’s suit against Apple. Another is that 2013 figures were being compared against the massive sales of the *50 Shades* trilogy in 2012. A third is that AAP numbers do not include either Amazon-published or self-published books. This last point would almost certainly drive e-books past trade paperbacks into second place.

Still, this might be an instance of slightly up being the new down. No one (except for some traditional booksellers) was looking at e-book sales flattening so soon. And the caveats are consoling, but not relieving. The Big Five publishers I’ve spoken with point not to new discounts as the cause of unit sales declines, ▶

but the need to offer deep price discounts over short spurts in order to generate any meaningful sales. While the *50 Shades* trilogy was indeed a rare sales phenomenon, no one trilogy should be able to depress the growth of an entire sector of the business. And while Amazon-published and self-published books make up a very large percentage of the Kindle top 100 (where the bulk of Kindle sales reside), the average number of Amazon-published and self-published books in the Kindle top 100 did not increase in 2013. And then we need to consider Barnes and Noble's announcement that NOOK e-book sales were down last year, though some of that has been offset by growth at iBooks.

Should we be concerned? Well, I think we should be at least a little concerned or I wouldn't have written this article. We haven't seen sales figures from the AAP for any part of 2014 yet, so it's possible that, now that adjustments to price have been made and comparisons to 2012 *50 Shades* are over, we'll get back to double-digit increases. But I think there are some things about this that we do need to be concerned with and, to the degree we can, be proactive about.

I've written before about pricing. To me, this is a significant issue. How many of you are only seeing meaningful e-book sales spikes when you run a flash sale or include your work in a bundle? I'm guessing it's most of you, considering how many people have shared this experience with me. You've probably also noticed that the halo effect from BookBub promotions or Daily Deals is of a shorter duration than it had been. If price promotions have long-term value, great. It's a tool we didn't have in our belt before e-books, and it has the potential to introduce a large audience to a writer very quickly. If, however, those promotions become the only means to generating big sales, then we have a problem, because that means that a huge percentage of the market is only willing to buy our books when they perceive them to be massive bargains.

Is there something we can do about this? I think there is, but it is going to require a very high level of creativity and enterprise. To me, it comes down to building an elevated level of connection between the writer and the reader. Writers need to sell their indispensability. They need to show that they're not only worth more than \$.99, but that it's also worth it for readers to read them multiple times and seek out new releases. That requires work—the kind of work that has eluded most publishers and authors over the years. Some of our members are brilliant at this sort of thing, and there are some shining examples from outside our ranks (Hugh Howey, for instance). However, most of us don't have the time to do this and write as well, and that's an issue whether you're traditionally published or indie published, because we're not seeing much innovation from traditional publishers and therefore it falls to the author. This is something we need to be discussing as an organization, because I think it needs to be addressed at a level bigger than one author or one small team of authors.

Digital remains liberating in so many ways, but if sales are beginning to plateau, it's going to affect us the same way the "slightly down is the new up" state of the market did. The gap between hits and misses will widen, and the majority of readers will focus on brand names and bestsellers, marginalizing everyone else. What we've gained in the past few years will lessen.

Meanwhile, it would be foolish to discount print. Of the four major adult book formats, e-books represent 28.6 percent of the market, with hardcover representing 33.4 percent, trade paperback representing 29.9 percent, and mass market representing 8.1 percent. Again, this is using the AAP numbers, which don't include Amazon-published and self-published titles, but even if we believed that e-books represented, say, 32 percent of the market, there's still 68 percent of the market driven by print (and it's worth noting that hardcover sales were up 9.7 percent in 2013, compared to 3.8 percent for e-books). Our traditionally published members are somewhat format-agnostic, but our indie-published members will have a much bigger challenge on their hands if they choose to compete in the print market. Distribution beyond a catalog page on a bookseller's website won't be readily available, and manufacturing and returns can be very costly.

One of the things I love about NINC is that we tend to be early adopters. Because we spend so much time talking about business, we can address changes in the business faster and wiser than many. Right now, as far as e-books are concerned, slightly up is the new down and we want to make sure we don't start talking about slightly down being the new up. This is a conversation we need to be having. ▲



Photo by Sabrina Ingram

Not Your Usual Writing Advice

By JoAnn Grote

Don't Do It!

I'd say, "Okay, I'll do something and then I'll write." And then I don't write that day. And then I don't write the next day."

— Maria Irene Fornes

I'm a To-Do list addict. I always have one going. Correction: I always have at least one going, usually several. There's the ongoing To-Do list with everything I don't want to forget that needs to be done in any area of my life, including working on the current novel. There are the To-Do list of things I need to do for my mother, the To-Do list of things that need repair or maintenance on the house and vehicles, and the To-Do list for the week, by the day, which includes making progress on my fiction work. The To-Do list for the day is prioritized with everything I *must* finish before going to bed, which includes taking my mother to any doctor appointments scheduled that day, my technical writing and editing, and time spent on my fiction writing.

I've always defended and promoted the To-Do list. By committing what I need to accomplish to paper, I free up the part of my brain that keeps the mental list and the part that worries about forgetting something important I need to do, and use those parts of the brain to accomplish something on the To-Do list. At least, that's my theory.

It's recently come to my attention that my most useful tool for accomplishment might not be the To-Do list(s), but a Don't Do It list.

I haven't written down my Don't Do It list yet, but I know what's on it just by moving my gaze from the laptop screen to the mess behind me. Doing dishes, filing papers, organizing clutter, and vacuuming are high on the Don't Do It list. Keeping up with snail mail is on the list, too, which is obvious from the stack of unopened envelopes in a slippery pile on the nearby table.

Laura Phillips, NINC member and *Nink* editor, told me, "My current Not-To-Do List is long—do not clean, do not turn on the TV, open Facebook, answer the phone, or check email more than a couple times a day. That's the only way I'll get taxes done on top of the usual things happening this time of the week/month/year."

Did you see that? "Do not clean," is right there at the top of her Don't Do It list. I recall fellow NINC member Mary Jo Putney saying during a speech once that, "If you have to have a clean house, you'll probably never be a writer." To be honest, not cleaning house is probably not on my Don't Ever Do It list, but on my Don't Do It Until the Book is Written list and Don't Do It Until I'm Done with the Things I Need To-Do For Mom list and Don't Do It Until I'm Done with the Day's Technical Writing list. And—okay, I admit it; not cleaning house is on all my Don't Do It lists.

Obviously a person can have multiple Don't Do It lists. In addition to the above lists, one might have: Don't Do It Until I Finish the Day's Writing; Don't Do It Until the Weekend; Don't Do It Until the Kids Grow Up and Leave the House/Finish College, and Don't Do It Until Mother Nature Makes Me.

Shoveling snow can soon come off my Don't Do It Until Mother Nature Makes Me list and be replaced by mowing the lawn. Laura Phillips lives in the country and has a seasonal Don't Do It list. She told me, "I noted while I was in the barn milking the little goat that my list is longer than I'd realized and also includes: ignore the weeds, ignore what the goatlings did in the barn aisle, and forget about the mess the geese made of the yard for now. Trash blowing in from the road? *Who cares?* My blinders are back in place. It's the only

way I can focus and conquer the top priorities, and anybody around here who complains will be handed a To-Do list and a broom. Or whacked with the broom. Depending on my mood at the moment.”

I like her perspective. I'm going to make a Don't Do It—Put It On Someone Else's To-Do List Instead list, and a Hire It Done list and a Don't Do It Anyway Until @#\$\$\$#@ Freezes Over list.

I think all writers can relate to NINC member Shasha White's primary Don't Do it item. “Don't start reading something. When I start reading a book, article, or blog, I get stuck in reading/surf mode instead of writing mode. I have to start writing as soon as I sit down, and leave the surfing and reading for breaks, or I never start writing.” That makes my list, along with, “Don't attempt to watch just one rerun episode of *Castle*,” a show to which Sasha introduced this former television avoider.

NINC member Charlotte Hubbard's Don't Do It list includes similar ideas to avoid going off on a non-writing tangent. “Don't put any games on my computer or devices, don't access the Internet or email while I'm writing, don't become overwhelmed by the sheer number of things on the To-Do list, don't pretend that “a quick look-up” for a story detail won't lead to clicking on five other Yahoo! or Firefox links, and don't consider lengthy answers to friends' emails as real writing.”

I can see how items on a Don't Do It list might change depending upon the stage of the work in process, or whether one is in the writing a book or between-books stage. You know that between-books stage—not a place where a writer isn't working on a book for months or years at a time, but the recuperation stage after ending a book and before beginning the next one, the place you check in with your loved ones to see if they still recognize you. That's the time you move things from the Don't Do It list to the To-Do list: finally do the cleaning you've put off, go to the chiropractor to get rid of the crick in your neck that you developed hunched over the laptop for the last few months, answer mail and email, go to the hairdresser so you look more like the photo on your website again, and take time to buy the new underwear you've needed for months.

There are things on my unwritten Don't Do It list it's time to remove even though I'm not in the between-books stage. The tug in my leg muscles as I walk my dog, Angel Eyes, to her favorite park with its creek, trees, and hills as spring inches into Minnesota reminds me that exercising has been on the Don't Do It list for too many months. Walking the dog is good for my health, and good health helps me accomplish my writing goals, right? Charlotte Hubbard includes a good health item on her Don't Do It list, too. “Don't open the jar of mixed nuts while you're brainstorming ... a hand that's feeding your face isn't really feeding your story.”

NINC member and former president, Kasey Michaels, showed me that a Don't Do List can include more than the normal time snatchers. “Don't take yourself too seriously. Don't tell yourself with every new book that this is the one where they'll all find out you've been faking it for 35 years. Don't ever compare yours with any other writer's career. Ever. Don't forget, if your book is turned down, that's their loss, not yours ... and submit it elsewhere. Don't tell yourself you have to write to a schedule, or your muse, or you'll never get anything done. Don't ever diss another writer; it's counterproductive.”

I love that list! I'm going to add to mine don't be a perfectionist, don't be guilt-driven or bullied into putting someone else's priorities on your To-Do lists, and don't go to bed until you've done at least one thing just for fun.

Okay, I'm going to make a formal, in writing, Don't Do It list. If that doesn't work, I'll start a MUST Not Do It list. Beginning immediately, the first thing on every To-Do list is, “Review the Don't Do It list.” Or maybe I'll limit myself to one To-Do list with the admonition “Don't make any more To-Do lists.”

One more Don't Do It list recommendation from Kasey: “Don't turn down an opportunity to be a volunteer for NINC or miss a NINC conference, not if you want to mingle and learn from the best, network, stay on top of the market.” Scary thought to miss an opportunity to visit with writing friends, keep up with the market, and walk on the beach. Your recommendation will be on my Don't Do It list, Kasey.

JoAnn Grote is the award-winning author of 40 books, including inspirational romances, middle-grade historical novels, and children's nonfiction. Contact her at jaghi@rconnect.com.



WRITING *is* TAXING

By Diane Kelly

The Ins and Outs of IRAs

As self-employed writers, we can continue writing well into our golden years and don't have to retire until we decide we are ready. If we've been judicious, we've put money into a SEP (Simplified Employee Pension Plan), traditional IRA (Individual Retirement Account), or Roth IRA throughout our career. We can continue to make contributions into a SEP or traditional IRA until the year we reach 70½. We cannot make contributions to a SEP or traditional IRA for the year we reach 70½ or any year thereafter, even if we continue to earn income. With respect to Roth IRAs, however, contributions are allowed even after age 70½ so long as we have the requisite earnings.

Just as numerous rules govern when and how much we can put *in* a retirement account, there are also rules for taking the money *out*.

Required Minimum Distributions (RMDs) apply to both SEP and traditional IRAs, but do not apply to Roth IRAs. If you have a Roth IRA, you can leave the money in as long as you'd like. Roth IRA distributions are entirely at your discretion. Roth IRAs receive this disparate treatment because they are taxed differently from SEP and traditional IRAs. While a taxpayer can deduct contributions to SEP and traditional IRAs in the year they are made (with certain limitations), taxpayers who contribute to a Roth IRA get no such tax deduction for their contributions. Instead, they benefit by being able to withdraw their earnings tax-free on retirement.

RMDs for SEP and traditional IRAs must begin for the tax year in which you reach the age of 70½ years. However, for the initial year, you have the option of delaying your first payment until April 1 of the following year. For all future years, you must take your distribution by December 31.

The amount of your RMD for a given year is computed by taking the balances in all of your IRA accounts as of the prior December 31 and dividing it by the applicable life expectancy, as published in IRS Publication 590 – Individual Retirement Arrangements. If your spouse is the sole beneficiary of your account and your spouse is more than ten years younger than you, you should use the "Joint and Last Survivor" table to determine your RMD. If your spouse is not more than ten years younger than you or is not the sole beneficiary of your IRA, you should use the "Uniform Lifetime Table." A beneficiary of an IRA is required to take distributions based on the "Single Life Expectancy Table." Although financial institutions will generally compute the amount of the RMD for a taxpayer, it is the taxpayer who bears ultimate responsibility for ensuring the full amount of the RMD has been withdrawn for a given year. If you have more than one IRA, you must calculate the RMD for each separate account, but you may withdraw the RMD amount from any of your IRAs.

The RMD is the minimum amount that must be withdrawn, and you are free to withdraw more if you choose. In addition, you may withdraw your RMD via any number of distributions so long as you withdraw the full required amount by year end.

RMDs cannot be rolled over into another retirement account. In other words, you must spend the funds or hold them in regular, non-retirement accounts.

Failure to withdraw your RMD will lead to steep penalties. When a taxpayer fails to withdraw the full amount of the RMD by the applicable deadline, the deficiency is taxed at 50 percent. The penalty is reported with the applicable year's tax return on Form 5329 – Additional Taxes on Qualified Plans (Including IRAs) and Other Tax-Favored Accounts. The penalty can be waived if the taxpayer can establish both that the failure to withdraw the full RMD was due to reasonable error and that steps are being taken to remedy the error. To request relief from the penalty, you must file Form 5329 along with a letter of explanation. Be advised that each year is considered independently, and you cannot remedy a deficient withdrawal by taking more out of your accounts in a subsequent year. Likewise, any excess withdrawal in a preceding year will not be applied to a deficiency in a following year.

Remember, too, that there is a 10 percent penalty for withdrawing funds early from your SEP or traditional and Roth IRAs. For SEP and traditional IRAs, the entire withdrawal is subject to the 10 percent penalty. For Roth IRAs, only the earnings that are withdrawn are subject to the penalty. In other words, the principal withdrawn from a Roth IRA would not be subject to the penalty because these funds have already been taxed.

The early withdrawal penalty does not apply to funds that are rolled over into another IRA within 60 days of their withdrawal. In addition, you will be exempt from this 10 percent penalty if:

- 1) you have reached the age of 59½,
- 2) you are totally and permanently disabled,
- 3) you are the beneficiary of a deceased IRA owner,
- 4) you use the withdrawn funds to buy, build, or rebuild a first home,
- 5) the distributions are part of a series of substantially equal payments,
- 6) you have unreimbursed medical expenses that are more than 10 percent of your adjusted gross income (or 7.5 percent of your adjusted gross income if you or your spouse were born before January 2, 1949),
- 7) you are paying medical insurance premiums during a period of unemployment,
- 8) the distributions are not more than your qualified higher education expenses,
- 9) the distribution is due to an IRS levy of the qualified plan,
- 10) the distribution is a qualified reservist distribution.

Diane Kelly is a retired CPA/tax attorney and the author of the humorous Death and Taxes romantic mystery series, the forthcoming Paw Enforcement series, and a self-published fantasy romance.

Business Briefs

Job Changes

Gary Goldstein has moved up from executive editor to editorial director at Kensington Publishing. Diana Gill has joined Berkley/NAL as executive editor for Ace and Roc Books after working at Harper Voyager.

PW Daily

Canadian E-books Agreement Suspended

Kobo protested against an e-book pricing agreement between Canada's Competition Bureau and four publishers, Hachette Book Group Canada, HarperCollins Canada, Simon & Schuster Canada, and Macmillan Canada in February, and the pricing suspension was granted in late March. Kobo claimed the agreement would be detrimental to e-books retailers and the example of the U.S. market was used in the argument.

PW Daily

The Mad Scribbler

By Laura Resnick



Words Matter

“No, no, there must be a limit to the baseness even of publishers.”
— Dorothy L. Sayers (1893-1957)

In March, a New York judge ruled in favor of publisher HarperCollins in its lawsuit against Open Road Media. Harper filed suit against Open Road in 2011 for publishing the digital edition of a bestselling Newbery Award-winning children’s book, *Julie of the Wolves* by Jean Craighead George. Harper first published the book in print format more than 40 years ago, and it has been in print (and under contract to Harper) ever since.

This is a convoluted tale (the lawsuit, not the book) with some familiar themes, and the moral of the story is that words matter—especially if they are (or are *not*) in your contract.

HarperCollins won the case with the argument that its 1971 contract with Jean Craighead George gave it the exclusive right to license any e-book edition of *Julie of the Wolves*, though Harper could *only* exercise that right with George’s permission—which is the first of the plot twists in this story.

Ms. George chose not to license e-rights to Harper, specifically because Harper wouldn’t negotiate its proposed e-royalty rate for this title—which had sold 3.8 million print copies during the decades since Harper had acquired it for an advance of \$2,000. Open Road Media’s brief in the lawsuit stated the Ms. George would have preferred to publish the e-book with Harper, due to the book’s long print association with them, but she felt that the royalty rate they were offering was “fundamentally unfair to authors given the low costs and high efficiencies of e-book publishing.”

So George, who believed she retained control of her digital rights, licensed the e-book edition to Open Road Media, which offered her 50 percent of net as the e-royalty rate. And HarperCollins, which (according to the Open Road brief) had declined to meet or match that rate, decided to sue.

Harper’s position was that their contract with George prohibited licensing of a digital edition by anyone else. (In other words, “Accept our terms or forget about ever seeing an e-book edition of this title.”) According to *Publishers Weekly*: “Open Road, however, believed there to be no explicit grant of e-book rights in the contract, and offered to publish the digital edition, even agreeing to indemnify George and her agency, Curtis Brown.”

This difference of opinion about what the Harper contract *actually said* existed in part because publishing contracts that were drafted while Richard Nixon was still president were not crystal clear about e-rights, go figure. An additional reason there was such a chasm of opinion about the legal disposition of digital rights in this document was that (our next plot twist!) Ms. George’s literary agent rewrote part of it—the part which became pivotal in the lawsuit 40 years later.

(Stop right there. Don’t even get me started on agents. That’s not why we are gathered here today.)

So it has taken a court case and a New York judge to unravel how the wording of that contract applies to the e-book edition of this title. Ms. George passed away in 2012 at the age of 92, while Harper was suing her

e-book publisher. And in March of 2014, the judge who ruled in favor of HarperCollins' claim noted that her ruling depended on the contract's "antiquated language" and has "limited applicability beyond the confines of this contract and this case." (In other words, "Don't go getting all excited. This case is only precedent-setting if your contract has identical language—and who wrote this gobbledygook, anyhow?")

The rationale underlying the ruling is based on the contract including rights to "uses in storage and retrieval and information systems, and/or whether through computer, computer-stored, mechanical or other electronic means now known or hereafter invented."

Harper argued that this, in effect, meant digital rights, and that they had exclusive licensing rights. Open Road argued that the clause referred to electronic systems for indexing, cataloguing, and searching for information, rather than being a grant of publishing rights.

According to *Publishers Weekly*, "the clause in question was inserted by George's agent, Curtis Brown, and a significant part of the Open Road brief is spent explaining that HarperCollins' reading of the contract is only enabled because Brown's clause is poorly written and contains a grammatical error."

What's most interesting about this is that, being a clause inserted by the agent, "the language at issue is not HarperCollins boilerplate."

So when the judge said that her ruling had "limited applicability," she meant *really* limited. So limited that even HarperCollins itself may get very little mileage out of winning this years-long legal battle.

But wait! There's more!

The contract conveys to HarperCollins the right to publish the title "in book form," but *does not* specify "print." That single word—*print*—has been ruled crucial in differentiating this case from the similar case that Random House lost against Rosetta Books in 2001. The contracts scrutinized in *that* case defined Random House's right to "print, publish, and sell the works in book form." That inclusion of the word "print" was deemed to limit Random House's rights by strongly connoting paper/print as the "form" the book would take. Absence of the word "print" in the HarperCollins/George contract allows a broader interpretation of the phrase "in book form," particularly when coupled with the clause about "other electronic means now known or hereafter invented."

Yes, I know, this is *excruciating*. But bear with me.

I've only come so unconscionably close to killing you with boredom to make it clear that Harper's victory in its lawsuit against Open Road does not, as I initially feared when I read the headlines, mean you'll never get your out-of-print books reverted, or that your old, still-in-effect contracts assign e-rights to the print publisher.

I am not a lawyer, nor do I play one in the streets and taverns of my fair city, but I assert that it's clear from this ruling that the contractual phrase "in book form" does *not*, in and of itself, include e-book format. Our old work is not as safe from rights grabs as we had hoped it was after the Random House ruling years ago, but the court's ruling on this Harper case indicates that it takes excruciatingly specific language and also absence of language (such as that seemingly minor word "print") for a publisher to hijack your digital rights via your old print contract.

However, if the wording in your old contract is identical to the (very specific) parameters defined by the judge in this case, then this ruling is bad news for you. My sincere condolences.

On the bright side, though, my own experience of publishers' legal departments over the years is that they very often combine overwork with incompetence. While this can make them very frustrating (and time-consuming, and headache-inducing, and costly) to deal with, it does also mean that they don't necessarily know what they're doing, what anyone else is doing, or what their own contracts say. So even if your old contract with a publisher bears alarmingly close resemblance to the one dissected in this lawsuit, it's nonetheless worth trying to get your rights back. You might succeed, despite this recent ruling.

For all that I found the court's decision disappointing in this case, I nonetheless thought the judge's painfully parsed interpretation made sense in its agonizing legalese way. So my disgust over this whole matter is reserved solely for HarperCollins.

I've no idea how much money Harper spent on litigation to retain control of the e-rights to one title on the basis of byzantine wording in a 1971 contract. But I can't help thinking that the money would have been better spent by paying a fair e-royalty rate to the book's author—as well as to other authors. (Or on ▶

developing a better business plan for the digital era than collusive price-fixing, a scheme which has cost tens of millions in legal settlements. But I digress.)

Was the determination not to pay 50 percent of digital net on a book which has sold millions of copies since being acquired 40 years ago for a \$2,000 advance ... *that* strong? If so, this court case tells us something relevant, something that has a much wider application than the specific contract language on which the case pivoted.

It tells us that HarperCollins (and perhaps other houses) may prefer to scorch the earth rather than negotiate with authors on e-royalty rates. If so, it's a position which is as short-sighted (though not nearly as illegal) as collusive price-fixing. Yes, big publishing is the king of print distribution. But the more the print market shrinks, the less the big houses can offer to make it worthwhile for authors to surrender 75 percent of our net digital earnings to them.

Standing firm at 25 percent of net as a non-negotiable royalty rate will merely increase the pace at which novelists are abandoning traditional publishing in favor of self-publishing—a business model in which the writer gets 100 percent of digital net.

Laura Resnick's most recent release is The Misfortune Cookie, the sixth book in her urban fantasy series, to be followed this November by Abracadaver.

Business Briefs

E-book Settlement to Consumers

Book consumers were sent their part of the settlements from Hachette, HarperCollins, Simon & Schuster, Macmillan, and Penguin to the sum of \$166 million. (I received \$7.30 in my Barnes & Noble account.) This is reimbursement for e-books from those publishers that were purchased from April 10, 2010 to May 21, 2012. Credit can be used for print and/or e-books. In the final settlement *NYT* bestsellers were worth \$3.17 and non-*NYT* bestsellers were 73¢.

PW Daily

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P.O. Box 2037
Manhattan KS 66505

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