



The Beacon

Your guiding light for writing and publishing

Number 19, Spring 2004

Print and Electronic Rights

Few topics confuse writers as much as “rights” but few topics are as important to us, especially at the outset of our careers. The advent of the internet and electronic publishing has complicated the issue and copyright legislation has lagged far behind the technology. I will discuss the basics only and I emphasize that I am not a lawyer.

When we own copyright (the right to copy), we own all the rights to our work. Rights are the “uses” to which an article or book can be put, such as publication in a print magazine or being made into a movie. Writers can sell these rights or uses in several ways.

First Serial Rights can be print or electronic and mean you are selling (giving) the publication the right to publish your article for the first time. In the case of print rights – you may immediately sell the piece to an e-zine before print publication and, after the print magazine containing your article hits the newsstand, you are free to sell it again as a reprint to other print markets. However, first serial electronic rights are different – e-zines buy first rights for an exclusive time period, usually one year, and, in the same breath, ask for non-exclusive rights after that. While you can immediately sell the same piece to a print market as a “first print right,” you cannot even post the article on your own website until the year is up. Once it is, you are then free to sell the article to other electronic markets as a reprint and post it yourself too. Most Canadian and US freelancers sell North American first serial rights, reserving the right to sell in other world markets for themselves. I always specify what type of rights I am selling on the ms, eg. *First North American Electronic Rights Only*.

Second Serial Rights are reprint rights and apply to print. Do not sell these, retain them at all costs. For, although you earn less money for each reprint, you can sell one piece over and over again. /2

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From the editor’s desk

Turning points in our lives deliver opportunities in abundance. Just before Christmas, I decided to quit my day-job 18 months before qualifying for my full pension so that I could focus on my passion – writing and speaking. A new book contract provided the final nudge.

This momentous decision also means that I am much more available to writers and teachers for workshops and authors’ consultations. Teleseminars, which I mentioned in the previous issue, will begin some time this year. Please let me have your input on which topics you most need. I welcome emails or phone calls.

I have solved the newsletter’s electronic delivery challenges, so that each of you should receive *The Beacon* without your server believing it to be spam and deleting it.

Enjoy the article, *Print and Electronic Rights*, which is in answer to a new subscriber’s plea, and forward any questions that may arise after reading it.

So keep in touch and tell me about your needs and successes. And make Spring 04 your new start too....!

Julie H. Ferguson (Free at last!!)

News and views....

- Burnaby Writers' Society is running a short, short story contest (max. 250 words) called *Northwest Passages* for writers in western Canada and Washington State, Oregon, and Alaska. For details write to BWS CONTEST COMMITTEE, 6584 Deer Lake Avenue, Burnaby BC Canada V5G 3T7. (Not on their website yet at www.bws.bc.ca.)
- Canadian hard cover book sales are in sharp decline, according to Quill and Quire report on StatsCan's latest survey of publishers. Hardcover sales dropped 20% from 1998 to 2001 and are still going down. Major reason is price and the trend applies more to fiction than non-fiction.
- Publishers are using less paper from old growth trees and producing more and more books from recycled paper. This growing initiative has prevented thousands of trees being axed in Canadian forests. Raincoast printed the last Harry Potter novel on recycled paper and saved an estimated 39,000 trees.
- Soon *Quill and Quire's* website will expand with searchable archives of articles going back to 1996 and e-versions of the Canadian Publishers Directory and the Book Trade in Canada. Not up yet but keep an eye on www.quillandquire.com.

Forthcoming events in 2004

(for details see www.beaconlit.com)

- Apr 3 – **How to Craft Irresistible Query Letters** for Surrey's Creative Writing Diploma Program at Johnston Heights Secondary School, 9am – 4pm. \$69. Register at 604-589-2221.
- Apr 17 – **Writing with Power!!** (9-noon) and **Writing Online** (1-4pm) for Surrey's Creative Writing Diploma Program at Johnston Heights Secondary School. \$32 each. Register at 604-589-2221
- Apr 23/ – **Writing with Power!!** for *Connections 2004*, the teachers conference of the Middle Years Association of BC, Penticton, BC.
24
- Jun 11/ -- **Speaking and Writing: A Guide to Promotional Writing for**
13 **Professional Speakers** and **one more TBA** for the Canadian Association of Professional Speakers' professional development series, location TBA.
- Jun 24/ -- **Sailing into New Markets**, the Canadian Authors' Association
25 national convention at UBC, Vancouver. (My sessions TBA.)

Rights (cont. from p. 1)

All Rights means exactly what it says and are rarely sold. When they are, the author gives up forever all future income from the article or book. All the writer retains is the copyright.

Other rights that authors and freelancers hold are **subsidiary rights**. These include movie rights, dramatic, TV and radio rights, audio and other media rights, etc. These are very important too, especially for books. But don't forget, the Travolta movie, *Urban Cowboy*, came from a magazine article....

Never give up your e-rights to a book publisher – they always put the clause in their contracts even though they know authors will delete it.

If you find yourself confused, concerned, or faced with a questionable contract, get legal advice or contact your national authors' or writers' association for further guidance.

Previous issues of *The Beacon* are archived at www.beaconlit.com/beaconli/newsletter.htm



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