

Tippens: Meeting a success

The chair of Text and Academic Authors 1999 convention, Paul Tippens, called the convention "a resounding success." Tippens said the convention, at Park City, Utah, achieved much more than he had dreamed of in the beginning of his tenure as chairman.

"As I planned this year's convention, I received e-mails and phone calls from as far away as Australia and Japan," said Tippens. "The program, the topics, and the wealth of information gave us much needed press and demonstrated once again the value of our organization to its membership. As a physicist, author and university professor of many years, I can truthfully say I've never been a part of a more responsive and valuable organization. It is truly great to participate and to interact with such creative and wonderful people."

The convention was June 24-25, preceded by two days of workshops and leadership meetings. The theme: "It's a Different World Out There: Authors and Publishing in the New Millennium."

Tippens called the convention a "feast" of practical knowledge and information for the new millennium. "It is indeed a 'different world out there,' and our presenters and panelists demonstrated that fact clearly to all who were present," he said. "We were constantly bombarded with the innovations required to deal effectively with the advent of digitized materials, CD-ROMs, the Internet, electronic books, etc."

Tippens said he was particularly interested in gathering four groups together to work toward a more common understanding of the many problems facing authors today, including: publishers, booksellers, the Copyright Clearance Center, and authors.

Digested from a complete article at: taa.winona.msus.edu/taa/ARTICLES/99/07jul/0710convrpt.html

2000 TAA Convention New Orleans, June 21-24

TAA's 2000 convention will be held in the Big Easy, New Orleans at Le Pavillion Hotel June 21-24. Le Pavillion was the site of the 1993 TAA convention, and yes, tuxedoed waiters still serve peanut-butter sandwiches on silver trays at 11 nightly. Rooms will be \$99.

NOTABLE AUTHOR: KAREN MORRIS

Forming foundation for learning a discipline

By Kim Pawlak

Karen Morris loves her job. All four of them. She is a part-time Brighton Town justice; a professor at Monroe Community College in Rochester, New York; an attorney in private practice; and has written two textbooks, instructional software and numerous editorials and articles. Morris enjoys the challenge in allocating her time properly. "What really works for me is a combo of them all," she said. "I would not be happy doing any one alone."

Teaching, Morris said, is stimulating both intellectually and socially. "I really like working with students," she said. "They help me see the material fresh every year." The judgeship, she said, is intellectual. "You look at the law a different way as a judge than as a lawyer. As a lawyer you're an advocate, as a judge you step back from advocacy and your role is to look at law objectively. It's a different way of utilizing rules and statutes."

She enjoys being a lawyer too: "Lawyers have to be very clever. They have to keep up with new twists on the law and use the law relatively." She also enjoys the research and writing aspects and dealing with lots of people.

Morris likes to know that people are learning based on her words. "My textbooks form a foundation for learning about a discipline," she said. "After dealing with lots of people (in my other jobs), it's nice to just sit at my computer -- just me, my computer and my writing." Morris writes year-round but finds summer the best. She needs at least an hour to get into the writing. Anything less than that she says is wasted time. "I push everything else aside when I write," she said. She prefers to write later in the day and evening during the week and mornings and afternoons on weekends. When she's finally finished with a project, she sees it as a major accomplishment. "With my first text, I took a picture of myself handing the FedEx guy the first copy of the manuscript."

She wrote the fifth edition of *Hotel, Restaurant & Travel Law* in 1998 and *New York State Cases in Business Law*, a textbook supplement in 1991. She has also written an instructional software program called "You Be The Judge!" in 1992 and various editorials and articles on topics such as the selection of supreme court justices, sexual harassment, free speech, privacy and domestic violence. She also produced a video presentation on shoplifting called "Shoplifting From Legal Management and Retailing Perspectives."

To new authors, Morris gives this advice:



Taking over as TAA's new president, Karen Morris has added a new job to her list of jobs which include part-time judge, professor, attorney and writer.

Make sure you're serious about the pursuit of writing a textbook, make sure it is a priority and be a member of Text and Academic Authors. "The networking and advice of other members has helped me tremendously," she said. Morris recently took over as president of Text and Academic Authors. She will serve for a year.

Morris received a juris doctor degree from St. John's University in 1975 and a master's of law from New York University in 1980. She has been a Brighton Town justice for six years, a professor at Monroe Community College for 20 years, and an attorney for 24 years.

In her spare time, she participates in the Big Brothers, Big Sisters program in Rochester, New York. She said she takes her role as a big sister very seriously. "My 'litttle sister' is a priority for me," she said.

Morris also coaches soccer for 8- to 9-year-olds. "We were undefeated this year," she says proudly. When she's not working or volunteering, Morris enjoys roller blading, biking, running and reading. Dean Koontz is her favorite author.

Digested from a complete article at: taa.winona.msus.edu/TAA/NOTABLE/morris.html

Attorney: Mergers can be devastating to authors

Mergers are very much a part of people's lives, said authoring lawyer Michael Lennie during a TAA convention panel on mega-mergers in Park City, Utah June 25. There were 12,000 mergers in 1998, he said, up from 5,000 in 1990. Those figures don't just include the publishing industry, said Lennie, but publishers are leading the charge.

"I deal with a lot of authors facing mergers," Lennie said. "They can be devastating for them." He said the U.S. Justice Department's anti-trust division is asleep when it comes to this issue: "They are literally overwhelmed with mergers and have only a fixed number of attorneys to deal with them." But, said Lennie, there is good news: "Authoring organizations are getting through to the Justice Department and with your assistance we can do more."

Lennie said mega-mergers affect the publishing industry by:

- Offering fewer choices for schools and colleges.
- Raising the price of textbooks. Fewer publishers, he said, create fewer choices, more of a monopoly and higher prices.
- Creating poor services.
- Reducing employee moral and dedication to the publisher, and in turn, to the author. Everybody is unsettled, unsure, said Lennie, not knowing whether they will remain with the company after the merger.

Mega-mergers affect authors, said Lennie, by giving them:

- Less bargaining power on contracts.

- Lower royalties.
- Less control over content.

The good news, said Lennie, is that mega-mergers are creating more and more small publishers. Today, eight out of 10 jobs come from small businesses. "A monopoly on the top side raises opportunities on the bottom side," he said.

If you are involved in a merger, said Lennie, you should have your publisher answer these questions:

- Is your book going to be published by the new publisher?
- Will it be published on time? This is critical, he said: "Most books only have a window year. Authors can't afford a year delay. Their chief competitor will have free reign to pick up their adopters."
- Will your book be supported by sales staff?
- Will your book be adequately supported by complimentary copies?
- What is the future of your book?

The terms of your contract are not of much help to you in a merger, said Lennie. "There is an appalling number of authors who don't get assistance in negotiating their contracts," he said. "There is nothing in a standard author's contract that is favorable to the author." Authors involved in a merger should, he said:

- Negotiate a new contract that has provisions with regard to the repeat clause and reversion.

• Investigate whether your book will be published after the merger. "If it will be, decide early on to endear yourself to your new editor and department head," he said. "If it won't, do what you can to get your rights back."

• Look at both companies: Where are the competing titles? Do you have a niche that serves another market? Are they buying your company because of your discipline or is your book from a fringe discipline? Who is going to control the merger? Are you a big or small fish?

• Make the decision to stay or get your rights back. "With fewer publishers available, that is a momentous decision," Lennie said. "Do not decide lightly. Show the worth of your book. Convince them to keep it and market it to a different audience."

• Get your company to agree that they have obligations to you and the merged company has to have the same contractual obligations. "The bad news is, contracts don't have much power to do that," he said. "You want to convince your publisher that they have a duty to place you with a publisher that can successfully publish your book."

• If all else fails, get your rights back. "Your publisher publishes. You write. If they don't publish, get your rights back," he said. "You're entitled to them. Get the plates, inventory, everything back. Tell them, 'You've caused me damage. Now give me the tools to repair it.'" taa.winona.msus.edu/TAA/ARTICLES/99/06jun/0625lennie.html

NEWS BRIEFS

Member needs. To make the budget approved by TAA's governing board, the association will need to grow by 400 members, said TAA Council member Paul Rosenzweig. Rosenzweig, a royalty auditor, based the goal on the record \$202,700 association budget for the coming fiscal year. Janet Tucker, office manager at TAA headquarters, said membership had reached 727 in June, a 3.3 percent increase from January. Tucker said TAA workshops attracted 123 new members, but attrition had been high.

Leaving 20th century. The TAA convention at Park City was the association's last annual meeting of the 20th century, outgoing President Peggy Stanfield said. Stanfield told members that the century had been good to TAA. "We moved forward from a trailer house in Orange Springs to the University of South Florida in one decade," she said. "Along the way we improved communication through our web site and regular newsletters. We have become a nationally recognized voice for

authors engaged in the serious business of educating our youth. We have promoted authors' interests and spoken out to protect their rights in all mediums of expression." Stanfield's term expired with the start of the Park City convention.

Fellows selection. TAA will invite as many as two Council of Fellows honorees to serve on future Fellows nomination committees, the TAA Council decided. On next year's committee so far are President-elect Peggy Stanfield, Fellow Mike Sullivan and President Karen Morris. To volunteer to serve, please contact Karen Morris at 716-256-0160 or judgekaren@aol.com, or TAA headquarters at 727-553-1195 or taa@hayflash.stpt.usf.edu

New deadline. The TAA Council decided to make four grants-in-aid awards of \$500 each available for next year to help fund TAA members' research projects. In previous years, TAA offered five grants of \$400 each. Applications are due January 15. Awards will be announced March 1. Recipients will receive the award at the June convention and will be required to present their research findings at the following June

convention. This year's grants-in-aid committee members: Karen Morris, president; Mary Kay Switzer, secretary; and Jay Black, Council member.

Norway collections. TAA continues to receive foreign reprographic moneys from the Norwegian agency Kopinor, said Ron Pynn, TAA executive director. He said TAA will soon receive moneys for 1998, perhaps \$85,000, and expects TAA will continue to receive moneys in 1999. Pynn said his goal is to set up a database of TAA members by the genres in which they write, for a more precise measure on how much TAA deserves from the complex U.S. distribution formula. TAA now uses an extrapolation model to establish its share.

Attendance 54. The TAA Council, disappointed at Park City convention attendance, decided that continued annual conventions nonetheless are a valuable benefit to members. Fifty-four authors attended. Convention numbers vary substantially from year to year. It was noted that any organization that has 10 percent of its members at a national convention is doing well -- and TAA is approaching that percentage. Jay Black, a former convention program chair, said

Coalition should choose CCC rep

A TAA leadership committee decided against a Copyright Clearance Center offer for the association to select a member for the CCC's governing board. Although TAA has long campaigned for author-elected representation on the CCC board of directors, the TAA committee concluded that representation should be broad-based -- not just from one author group, or from author groups that CCC chooses, or from author groups that have CCC's favor at the moment.

The committee recommended to Karen Morris, TAA president, that the Authors Coalition, which represents 15 author groups, including TAA, would be the appropriate organization to choose author members for the CCC board. Ever since publishers founded the Copyright Clearance Center, its publisher-dominated board has itself selected authors for the board, never more than a token minority, sometimes as few as one author on the 18-member board, occasionally none, and never more than five. TAA has complained that the self-perpetuating CCC board lacks true author representation -- a serious matter, in TAA's view, because the board sets policies for distributing millions of dollars in copyright collections to authors.

The TAA ad-hoc leadership committee, meeting at the association's annual convention, expressed concern that any individual author organization that went along with a CCC offer to choose author representatives to the CCC board could undermine the fragile development of a unified U.S. authors' voice. The move toward author unity is best embodied in the Authors Coalition, committee members said.

TAA ad-hoc committee members: Steve Gillen, Council member; Ron Pynn, executive director; Karen Morris, president; Peggy Stanfield, president-elect; Mike Sullivan, TAA representative to Authors Coalition; and John Vivian, past TAA representative to Authors Coalition.

CCC seeks authors for distributions

The manager of author and creator relations for the Copyright Clearance Center told an audience of text and academic authors that the CCC's sole goal and objective is putting money into the hands of rights-holders. "We are the middleman between the user and the rights-holder," said Kristen Giordano in a presentation at the Text and Academic Authors convention in Park City, Utah, June 25.

The CCC now has a database of 1.75 million titles and represents thousands of publishers, authors and creators. Giordano said. The center license more than 9,600 U.S. corporations and subsidiaries and more than 3,500 universities, copy shops, bookstores and document dealers. Of the \$60 million collected last year, \$50 million was distributed to rights-holders, said Giordano.

Giordano asked TAA to help find more authors whose rights have reverted back to them. "Every author should contact the CCC when their rights revert," she said. "We are trying to find trade/author organizations we can work with to find these authors."

For two years, said Giordano, the CCC has been trying to increase author relations because they're aren't as strong as they should be. Her department, she said, is dedicated to addressing the needs of authors and creators. CCC's duties are to:

- Facilitate copyright compliance.
- Maximize returns of royalties to rights-holders.
- Represent all rights-holders.
- Expand royalty opportunities for rights-holders.

CCC helps authors by:

- Protecting intellectual property.
- Encouraging legal access to their works.
- Working to return royalties directly to authors.
- Working in conjunction with author trade organizations to best meet authors' needs.

Giordano said while the Copyright Clearance Center now pays author royalties to publishers, which then pay their authors, CCC is working to encourage publishers to allow the CCC to pay authors directly. She said a key initiative over the next six to eight

months is to get publishers to agree to do this. "Some want the opportunity to unload this function," she said. "Some have said they would be more than happy to let the CCC do it." For now, they want to encourage publishers to notify authors when money comes to them from the CCC. "It is extremely important for authors to hold the rights to their work," Giordano said. If they did, then CCC could pay them directly and give them a list detailing the usage of their works. "We now work with people who own their rights," she said. "In the future, it could be just authors the CCC deals with." Since CCC cannot negotiate contracts with an author's publisher, she said, it's important for authors to hold onto their rights and keep track of their contracts.

The CCC has four royalty generating services:

- **CCC Photocopy Generating Use** Services paper and on-line rights.
- **Media Image Resource Alliance.** Licenses on-line stock photography.

• **Non-title specific distributions.** Foreign funds from Spain, the Netherlands and Germany that brought in \$2.5 million in royalties last year.

• **Split payments.** Payments on author royalties on behalf of publishers.

In the last 18 months, the Copyright Clearance Center has paid \$865,000 in repatriated foreign reprography moneys directly to 4,500 authors, including 1,500 academic and textbook authors. The range of dollars varies widely. Some authors, Giordano said, have gotten as much as \$17,000 based on the usage of their material, while others have gotten as little as \$20. A survey of those attending Giordano's presentation found only one person in the group of 40-plus had received funds from CCC. Through his publisher, he received \$10.

Giordano noted that the CCC now distributes only payments that are \$20 or more. It costs \$22 to cut each check, she said. The \$20 and under funds are pooled and put into the following year's pool for distribution.

Authors who would like to register their name and works with the CCC, should contact: Kristen Giordano, Manager, Author and Creator Relations, Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, 978-750-8400. To register on-line: www.copyright.com/taa/winona.msus.edu/TAA/ARTICLES/99/06jun/0624giordano.html

conventions have innumerable spin-off benefits, including dialogue that spreads from the convention to members nationwide through the TAA web site and newsletter.

TAA Journal? A committee will explore the feasibility and value of a new on-line scholarly journal sponsored by TAA. John Vivian, TAA editor, told the TAA Council that the association is producing at least four first-class scholarly pieces a year. "The current web site and newsletter aren't sufficient vehicles for these," Vivian said. He suggested a new, separate journal. Named to the committee were Donna Besser, a Council member; Kathy Heilenman, a former president and bibliographer; Karen Morris,

president; Ron Pynn, executive director; Mike Sullivan, treasurer; and John Wakefield, textbook scholar. Vivian will chair.

Campus rep. The TAA governing council voted to amend its bylaws to permit an ex-officio member onto the TAA Council from the organization's host university, which is now the University of South Florida-St. Petersburg. The member, who will serve as a liaison between TAA and the host institution, will be an ex-officio member with non-voting status. The new Council member will be appointed by TAA's president upon recommendation by the Council.

TAA budget. TAA's governing board tweaked a 1999-2000 budget proposal from Treasurer Mike Sullivan and approved a record \$202,700 spending program for the coming fiscal year. The biggest item is payroll, \$100,000, for the University of South Florida headquarters staff and the web site-newsletter staff. Payroll will jump 56 percent to cover the cost of a new half-time executive director and to improve TAA's news and information services to members. The *Academic Author* budget itself is pegged at \$42,000, including payroll. Thirty-thousand dollars was designated to promote authoring, mostly through campus workshops nationwide. [taa.winona.msus.edu/TAA/ARTICLES/99/0623budget.html](http://www.copyright.com/taa/winona.msus.edu/TAA/ARTICLES/99/0623budget.html)

TAA poet gets passion-Net

Author Helen Heightsman Gordon never lets a TAA convention pass by without a poetry reading. Among her poems for the Park City convention was "Getting Passion-Net":

Come surf the Internet with me:
We'll walk beside the Cyber C:
We'll hard drive through eternity
Netting nectar like a honey B:

"We'll chat in rooms where we are free
To be whatever we choose to B:
We'll stay awake til 2:00 or 3:00:
I'll play soft music on my D:

I'll weave my www for thee
And come to your web page to C:
Your hyper creativity:
And swoon in your http://

With bytes of Apple or PC
We'll download a good memorE:
If we get lost in cyberspace,
At least it's a ROM-antic place!

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CCC seeks authors for rights distributions

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