

# Indie Publishing Road Map

UPPAA Annual Conference 2019

# Who will publish your book?

Important considerations

# Key Considerations in any Publishing Agreement

- Who funds the project (i.e. who bears the risk)
- Publication Timeline
- Ownership of Intellectual Property
- Sales and Distribution
- Termination/Rights Reversion

# Self Publishing: 5 Key Contract Issues

1. Rights ownership – who owns the work and controls publication?
2. Design and pricing – who owns fonts, layout, cover art? Are there additional fees for additional uses?
3. How the money flows – who gets paid when?
4. Ending the relationship – notice periods, exchange of data, continued payment obligations
5. Resolving disputes – Court? Arbitration? Limitations on remedies?

See, “Dissecting the Self Publishing Contract” in 2015 Guide to Self Publishing (Writer’s Digest Book 2015)

# Grant of Rights

- Scope of rights
- Duration of rights
- Geographical and other limitations on rights
- Forms and formats of rights (e.g. hardcover, paperback, audio book, e-book or app, commercial add-ons, movie rights)

# Responsibilities

Who has promised to do what? In what time frame? And what happens if these things don't get done (or don't get done properly)?

- Manuscript
- Editorial duties
- Publication and marketing
- Distribution



# Compensation

- Compare pricing: is it dictated by the provider or can you set your own retail price? Are royalties determined by the provider?
- Are author discounts and wholesale pricing provided? Will funds be held for a period of time as an offset against refunds and returns?
- Compare provider contracts based on how providers track sales, how frequently they pay royalties, and the manner in which they pay.

# Ending the relationship

- Look for flexibility when it comes to terminating or “rescinding” the agreement.
- Is advance notice of termination required?
- Did you purchase additional services under separate agreements (e.g. inclusion in an online or print catalog, premium distribution services)? If so, do those agreements have their own termination clauses?
- When may the provider terminate the agreement? (And do you have backup copies of your works in the unlikely event you are denied access to the provider’s services?)
- How are disputes resolved under the agreement?



# Sharing the workload

Working with collaborators, freelancers, and  
online vendors

# Collaborating with others: map out the details

- Who owns the work?
- Who controls the work?
- Collaborating? Why you need an agreement
- Planning for things to go wrong: dispute, disability, death, and those darn relatives!

# Working with freelancers

- Use referrals and word of mouth to locate freelancers (e.g. developmental editors, copyeditors, proofreaders, illustrators)
- Accept that you'll "get what you pay for"
- Use a written contract that clearly specifies what you need, what you'll pay, what the deadline is, etc. and establish firm parameters with regard to scope of work
- <https://reedsy.com/> A pre-screened network of quality publishing professionals
- <https://www.behance.net/> Find illustrators and other creatives here

# Pre-publication Details

# ISBN Numbers

- Purchase from Bowker.com
- Own our own ISBN's – do not allow Create Space or any other company control your ISBN's.
- Use ISBN's for each version: ebook, hardcover, paperback, etc.
- Bowker's occasionally has sales on blocks of ISBN's



# BISAC Codes and CIP Data

- BISAC codes tell others how to categorize your book. Take the time to do this right - no one else will do it for you. Booksellers and librarians skip over titles that make their jobs more difficult, and they typically don't dedicate time trying to determine where they would put your book on their shelves. See, [BISAC.org](http://BISAC.org)
- CIP (Cataloging in Publication) Data – Librarians use this data. Self published books fall under the PCN (Pre-assigned control number program). The purpose of the Preassigned Control Number (PCN) program is to enable the Library of Congress to assign control numbers in advance of publication to those titles that may be added to the Library's collections. The publisher prints the control number in the book and thereby facilitates cataloging and other book processing activities. The PCN links the book to any record which the Library of Congress, other libraries, bibliographic utilities, or book vendors may create. See, <https://www.loc.gov/publish/cip/>



# Book Printing

- Print on demand (POD) versus offset printing
- Soliciting printing bids

# Book Pricing

- List price – must be competitive for your market and should be a stable price.
- Discounts – dictated by strategy and market, these vary in percentage and whether returns are allowed.
- Always leave room for promotions, special sales, and “what ifs”

# Pre-publication marketing

- Send out review copies
- Set up online pre-orders
- Send out ARC's to a targeted group of readers
- American Bookseller's Association (or similar regional associations) – consider joining as an Associate so you can take advantage of marketing opportunities and their listservs

# Endorsements and reviews

- Different types of reviews: trade, critical, professional, reader
- Where and how to use favorable reviews: book covers, metadata, marketing and publicity collateral

# PW Booklife: The Art of the Book Review Query

- Identify targets: the most important part of the process; only approach review sources or individuals who have a proven interest in the kinds of books you're writing.
- Send a well-crafted query: keep it short; introduce yourself; connect to a common cause to establish a "community of interest"; be specific about what action should be taken; set a deadline (but allow flexibility for reviewers who are working to an editorial schedule); make it easy by offering the book in whatever formats are available (POD, print, PDF through a protected service, etc.)
- Follow up (but don't take a lack of response personally)

# Getting your book to market

- Distribution/supply chain
- Contest and award submissions
- Book Expos and Conferences



# Setting up your own independent publishing entity

Legal and tax concerns

# What will you publish?

- Marketing starts at the very beginning
- Create a statement about your books – how would you describe the books you will publish? What type of books will they be?
- Knowing your publishing identity is a crucial step in marketing your books – you are building a brand.

# Creating a publishing enterprise

- Choosing the right business form: sole proprietorship; partnership; limited liability company; corporation (and when to move from one to another)
- Branding: registering your company name; logos; trademark filings
- Tax issues: tax ID numbers; income and sales tax issues; employee taxation issues; keeping the books

# Non-tax factors to consider when choosing a business structure

- Complexity and expense of organizing the business
- Liability of the business owners
- Distribution of profits and losses
- Management control and decision making
- Financing start up and operation of the business
- Transferability of ownership interests
- Continuity of the business following withdrawal or death of an owner
- Complexity and expense of terminating the business
- Extent of government regulation

# Tax factors to consider when choosing a business structure

- Who is the taxpayer?
- What tax forms are used?
- Tax rates
- Tax impact
- Compensation for services (self-employed; shareholder; employee)
- Estimated tax payments



# Business Tax Obligations

- Sales tax (state specific)
- Tax Identification Numbers (federal and state)
- Self-employment tax; Social Security; Medicare
- Business income tax returns
- Unemployment tax
- Workers' Compensation Insurance
- Retirement benefit plans; benefits
- Estimated tax payments



# Other legal issues/filings

- Registration of an “assumed name”
- Registering an LLC or filing articles of incorporation
- Annual renewals
- Business licenses and permits
- Local zoning (particularly if operating a business from your home)
- Loan programs and grants
- Insurance (property; liability, etc.)
- Employment law issues
- Independent contractors

# Be a smart business person

- Be a good advocate for yourself
- Don't sign contracts "as is"
- Negotiate terms – identify deal breakers
- Track all tax deductible writing related expenses (e.g. conference registrations, books on craft, legal expenses) to offset against your writing income

# Questions?

- Thanks for this opportunity to meet with you.
- Be sure to check out the resource list posted on the UPPAA website!