

The
Wow

e-newsletter

Principles

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Wow, another year is here! For us, this coming year promises to be full of great adventures, surprises and challenges...

We're putting the finishing touches on two new books: *The Best of California's Mission's, Mansions and Museums* for Wilderness Press (Berkeley), as well as *Chicken Soup for the Entrepreneur's Soul* for Chicken Soup. Both are scheduled for release this coming September.

The creation of both of these titles has been a surprising and wonderful professional challenge. For the "3M" book, we traveled to all 21 California missions, and also to hundreds of the Golden State's museums and mansions (only those open to the public). The book is a "round-up" layout, with 600-900 words for each entry and a photograph. We'll talk about how to create a "round-up" in a future newsletter, using examples from 3M.

Chicken Soup for the Entrepreneur's Soul was a bigger challenge, as Dahlynn convinced 60+ of the nation's top entrepreneurs to submit their personal story for the title. Dahlynn ghostwrote many of these stories; this topic, along with fun examples regarding interviewing, will be presented in a future newsletter, too!



WE'VE GOT ANSWERS! Thanks for submitting your questions! Many will be featured (and answered, of course!) in our February newsletter. It's not too late to send in your question...Questions@PublishingSyndicate.com.

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We have received numerous questions regarding the topic of rights, which can be confusing for new writers. Below, “Step Six” is an excerpt from our new e-booklet **“Wow Principles #1: Seven Steps to Wow Publishers into Purchasing Your Nonfiction Stories.”** The 25-page e-booklet is available for purchase on our website; the price has been temporarily reduced from \$9.95 to \$7.95, and since it’s an e-booklet, there’s no sales tax or shipping costs! What a deal!

STEP SIX – *Know Your Rights*

Overview: When sending a story to a publication, you are attempting to enter into a legal contract. If your story is accepted, you will/should receive a contract that states essentially what you are “selling,” rights to your writing in exchange for a payment of a stated amount. When selling individual stories, you generally need not be an attorney or pay a lawyer to review the contract. What key things to look for, and to avoid, include:

Writer verses Lawyer

There are lots of jokes about lawyers, and if you’re a writer selling an occasional story or two to an anthology such as *Chicken Soup*, you likely won’t have to see how many of the jokes are true. Most of the contracts are fairly straight forward about what rights are being purchased and how much (set or negotiable), when (on acceptance or on publication), and how (one-time, advance against royalties, or escalating royalties) you will be paid.

In addition to a contract identifying who is selling what for how much, many publications may require you sign legal documents stating that your story is really yours, that you have the legal right to sell certain rights to your story and that *you* will be held responsible if you’ve “borrowed” your story, in part or in whole, from sources other than your own. Plagiarism is the key word here, as is libel. Equally as important, if you’ve already had your story published you need to make your new publisher aware of what previous rights you sold to other publications.

If your true story involves other people, most book publishers require signed releases from those people. This will be especially true if what you’ve said about them is even the least bit derogatory or could potentially place them in a “bad light.” Releases or “permissions” to use

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someone's name in your story may be especially difficult to obtain from them if you've used their names as examples of negative or embarrassing behavior. It's best to skip those kinds of references when possible, even if it means not writing the story at all.

Changing the Names to Protect the Guilty

If you think simply changing a person's name in your story will resolve the issues in the above paragraph, you're in for a big surprise. Publishers will not accept stories if the potential for libel is there, even if you assume all responsibility for this in the contract (while a publisher may not be held legally responsible for the libel, the threat of "bad press" is not worth their taking the risk). If you've changed the name of your ex-spouse or your worst boss, but your ex-spouse and worst boss can still reasonably identify themselves and others could likely do the same, then you could find yourself buried in legal troubles. And you may take the publisher down with you (deep-pockets litigation).

While an "enemy" or even a friend might take offense at your verbally telling a story about them, they may not be inclined to take legal action for slander, but libel—the printed version—is a different story. It's much easier to prove malice waving a printed "lie" in front of a judge and jury than trying to get them to believe "misquoted and misunderstood" verbal sparring. Besides, unless you or your target bad guy is famous, nobody is likely to print your negative story anyway unless it has a huge "lessons-learned" benefit (and they also have high-powered attorneys on retainer).

In most situations, permissions/releases are easy to get, so don't be dismayed. The information shared here is just the tip of the iceberg and presented to you for informational purposes only. If you are interested in educating yourself more about legal issues regarding freelance writing and publication, please visit the bookstore at www.PublishingSyndicate.com for a list of valuable reference books on the subject.

HOT STUFF! HOT STUFF!

There's just too many Chicken Soup story call-outs to list them all!

So, we'll send you there! Go to www.chickensoup.com, then to the main menu on the left side. Scroll down to the section entitled "Share with Us" and you'll find "Possible Books." Click on this link and you find yourself at the "We're Looking for Stories!" page. Good luck!

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