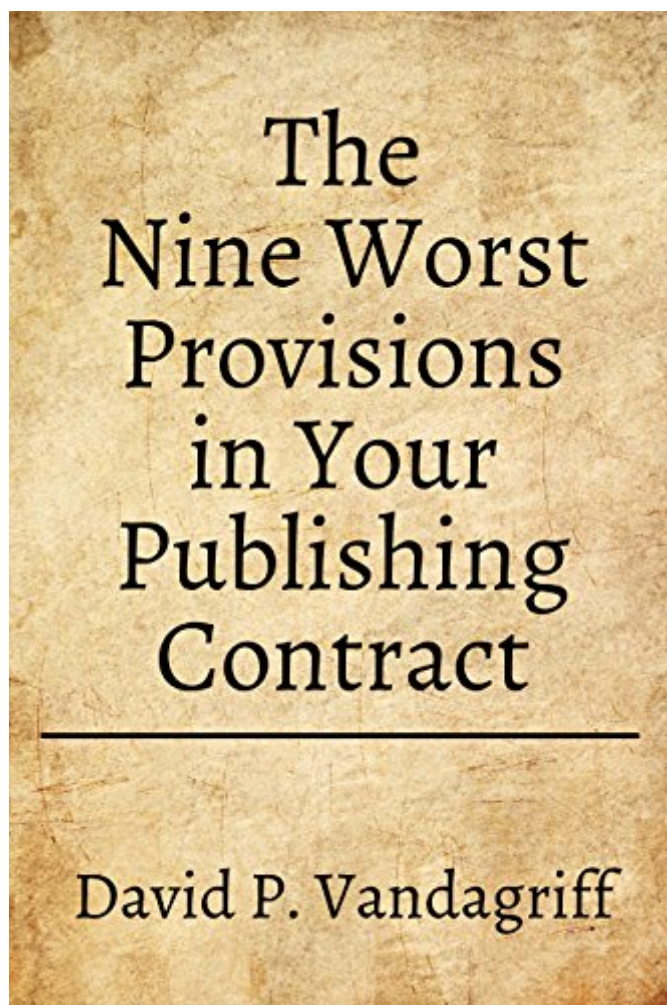


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The Nine Worst Provisions In Your Publishing Contract



Synopsis

You've finally finished your book and someone wants to publish it! They want to pay you an advance! You can already see yourself as a rich and famous author! There's just the little matter of the publishing contract. Everybody tells you it's just a formality. They're all the same. What could go wrong? Plenty. David Vandagriff is an attorney who primarily represents authors, including helping them get out of the first contracts they've signed. This is a short ebook - about 8,000 words - so it's a quick read. In *The Nine Worst Provisions in Your Publishing Contract*, David shows you some of the problems with the "standard contracts" that publishers ask authors to sign. He suggests changes in these contract provisions that can help protect an author's income and career. Reading this book is no substitute for meeting with an attorney, but it will get you started thinking about what your contract really means for your future career as an author and what newbie mistakes you can avoid.

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Writers! Before you sign that contract, read this book! And then hire a lawyer. That publisher had a team of lawyers draft that contract. Every line in it was written to the publisher's advantage, not yours. You need to understand that good intentions and good will have no force of law, no impact in court. In this book, David P. Vandagriff explains a few of the biggest ways you can lose valuable rights, and he also teaches you what you should negotiate instead. After you read this to educate yourself, hire a lawyer to negotiate a better contract, one that will keep you out of court. You don't have to sign a bad contract. A bad deal is worse than no deal at all.

This is really more of a booklet or pamphlet than an actual book, but it has good information for anyone thinking of signing a contract with a publishing company these days. A lot of that information can be found on blogs and such, though there was at least one point that was new to me. One big piece of advice which he doesn't include (well, not that I saw; I didn't read every word) that a lot of people really need to heed is: read the whole contract. It's amazing how many people sign contracts and don't read it or only skim certain sections. Yes, legal jargon is hard to read. It might take you several sittings to get through. But you really want to make sure you fully read and understand the contract you're signing, especially with something where your career may well be on the line.

Vandagriff's website, www.thepassivevoice.com, is an invaluable resource for authors who want to know how changes in the publishing industry affect our careers. Here he summarizes the most egregious ways that publishers will attempt to maximize their profits at our expense. He explains why these provisions -- all very common -- hurt authors and goes on to suggest how we can push back to protect our interests. Armed with his advice, authors can become smarter and tougher negotiators. Personally, I would still hire an IP lawyer before signing any contract, whether with an agent or publisher. A book such as this one keeps me on my toes.

I am a retired lawyer who also currently writes legal fiction. My books can be found on . I self-publish, largely for the reasons Mr. Vandagriff goes into in such useful clarity in this book. Contract terms and what they look like and what they mean are more important to the author seeking to land a traditional publishing contract than ever before, especially since the entire drama can be avoided by simply self-publishing, rather than inflicting a traditional publishing contract on oneself. But what about the successful self-publisher who is offered a traditional publishing contract that it only makes good financial sense to look into? Here is where this book shines. Read it and use it. Clearly a five star book for the wary author.

While the advice is tailored to authors considering contracts with traditional publishers, the book provides understandable rationales on the hows and whys of bad provisions. The author gives quick advice and explanations without going into too much detail for the layman. It's quick, simple advice that detangles some of the snarls of a publishing contract.

As a former intellectual property litigation legal secretary, I savor legalese and have seen countless lawsuits wherein plaintiffs sought to get out of contracts to which they unwisely agreed. This book zeroes in on numerous specific unfavorable contract terms to avoid. I cringe knowing that just five characters, "if any" can change the entire meaning of a contract.

This is a very straightforward discussion of nine ways publishers routinely try to screw over their authors. Only one of the eight was new to me, but for a new writer or for a writer who's never handled her own contracts, this is a brief introduction to why you should get an attorney to look over the documents you sign (and although Vandagriff never gets into this, why your agent might not necessarily be on your side.)The book takes about forty minutes to read, and I knocked off most of it while sitting in a medical waiting room and then standing in line at a pharmacy. After this, it might be worth taking a look at *The Self Publisher's Legal Handbook* by Helen Sedwick, which goes into a lot more detail about the overall legal issues faced by writers. *Self-Publisher's Legal Handbook: The Step-by-Step Guide to the Legal Issues of Self-Publishing*

Knowledge that rises up from the fine print comes to life for the layman in lucid street level prose, leading to many AHA! moments. When the evil clause is tough to avoid, that also gets a clear discussion. Everything gets a direct explanation of why the clause is there in the first place and how to address getting publisher (and agent!) to accept the change. Author Vandagriff has a riveting curriculum vitae; skip to the back and read that part first. *f* *Å* *Ä* *Ë* *ö* *Ä* *â*

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