

BOOKSELLING **THIS** Week

AMERICAN BOOKSELLERS ASSOCIATION

October 22, 2009

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ABA Asks Department of Justice to Investigate Bestseller Price Wars

October 22, 2009 -- The Board of Directors of the American Booksellers Association today sent the following letter to the U.S. Department of Justice requesting that it investigate practices by Amazon.com, Wal-Mart, and Target that it believes constitute illegal predatory pricing that is damaging to the book industry and harmful to consumers.

VIA OVERNIGHT MAIL AND EMAIL

October 22, 2009

The Honorable Christine Varney
Assistant Attorney General
Antitrust Division

U.S. Department of Justice
950 Pennsylvania Avenue, NW, Suite 3109

Washington, DC 20530

Molly Boast, Esquire
Deputy Assistant Attorney General for Civil Matters
Antitrust Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW, Room 3210
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Dear Ms. Varney and Ms. Boast,

We are writing on behalf of the American Booksellers Association, a 109-year-old trade organization representing the nation's locally owned, independent booksellers. A core part of our mission is devoted to making books as widely available to American consumers as possible. We ask that the Department of Justice investigate practices by Amazon.com, Wal-Mart, and Target that we believe constitute illegal predatory pricing that is damaging to the book industry and harmful to consumers. We are requesting a meeting with you to discuss this urgent issue at your earliest possible opportunity.

As reported in the consumer and trade press this past week, Amazon.com, WalMart.com, and Target.com have engaged in a price war in the pre-sale of new hardcover bestsellers, including books from John Grisham, Stephen King, Barbara Kingsolver, Sarah Palin, and James Patterson. These books typically retail for between \$25 and \$35. As of writing of this letter, all three competitors are selling these and other titles for between \$8.98 and \$9.00.

Publishers sell these books to retailers at 45% - 50% off the suggested list price. For example, a \$35 book, such as Mr. King's *Under the Dome*, costs a retailer \$17.50 or more. News reports suggest that publishers are not offering special terms to these big box retailers, and that the retailers are, in fact, taking orders for these books at prices far below cost. (In the case of Mr. King's book, these retailers are losing as much as \$8.50 on each unit sold.) We believe that Amazon.com, Wal-Mart, and Target are using these predatory pricing practices to attempt to win control of the market for hardcover bestsellers.

It's important to note that the book industry is unlike other retail sectors. Clothing, jewelry, appliances, and other commercial goods are typically sold at a net price, leaving the seller free to determine the retail price and the margin these products will earn. Because publishers print list prices indelibly on jacket covers, and because books are sold at a discount off that retail price, there is a ceiling on the amount of margin a book retailer can earn.

The suggested list price set by the publisher reflects manufacturing costs -- acquisition, editing, marketing, printing, binding, shipping, etc. -- which vary significantly from book to book. By selling each of these titles below the cost these retailers pay to the publishers, and at the same price as each other, and at the same price as all other titles in these pricing schemes, Amazon.com, Wal-Mart, and Target are devaluing the very concept of the book. Authors and publishers, and ultimately consumers, stand to lose a great deal if this practice continues and/or grows.

What's so troubling in the current situation is that none of the companies involved are engaged primarily in the sale of books. They're using our most important products -- mega bestsellers, which, ironically, are the most expensive books for publishers to bring to market -- as a loss leader to attract customers to buy other, more profitable merchandise. The entire book industry is in danger of becoming collateral damage in this war.

It's also important to note that this episode was precipitated by below-cost pricing of digital editions of new hardcover books by Amazon.com, many of those titles retailing for \$9.99, and released simultaneously with the much higher-priced print editions. We believe the loss-leader pricing of digital content also bears scrutiny.

While on the surface it may seem that these lower prices will encourage more reading and a greater sharing of ideas in the culture, the reality is quite the opposite. Consider this quote from Mr. Grisham's agent, David Gernert, that appeared in the *New York Times*¹:

"If readers come to believe that the value of a new book is \$10, publishing as we know it is over. If you can buy Stephen King's new novel or John Grisham's 'Ford County' for \$10, why would you buy a brilliant first novel for \$25? I think we underestimate the effect to which extremely discounted best sellers take the consumer's attention away from emerging writers."

For our members -- locally owned, independent bookstores -- the effect will be devastating. There is simply no way for ABA members to compete. The net result will be the closing of many independent bookstores, and a concentration of power in the book industry in very few hands. Bill Petrocelli, owner of Book Passage in Corte Madera, California, an ABA member, was also quoted in the *New York Times*:

"You have a choke point where millions of writers are trying to reach millions of readers. But if it all has to go through a narrow funnel where there are only four or five buyers deciding what's going to get published, the business is in trouble."

We would find these practices questionable were they taking place in the market for widgets. That they are taking place in the market for books is catastrophic. If left unchecked, these predatory pricing policies will devastate not only the book industry, but our collective ability to maintain a society where the widest range of ideas are always made available to the public, and will allow the few remaining mega booksellers to raise prices to consumers unchecked.

We urge that the DOJ investigate and request an opportunity to come to Washington to discuss this at your earliest convenience.

Sincerely,

ABA Board of Directors:

Michael Tucker, President (Books Inc.--San Francisco, CA)
 Becky Anderson, Vice President (Anderson's Bookshops--Naperville, IL)
 Steve Bercu (BookPeople--Austin, TX)
 Betsy Burton (The King's English Bookshop--Salt Lake City, UT)

Tom Campbell (The Regulator Bookshop--Durham, NC)
 Dan Chartrand (Water Street Bookstore--Exeter, NH)
 Cathy Langer (Tattered Cover Book Store--Denver, CO)
 Beth Puffer (Bank Street Bookstore--New York, NY)
 Ken White (SFSU Bookstore--San Francisco, CA)

CC: Oren Teicher, CEO, American Booksellers Association
 Len Vlahos, COO, American Booksellers Association

Owen M. Kendler, Esquire, Antitrust Division, U.S. Department of Justice

A Report on the October 2009 ABA Board Meeting

October 22, 2009 -- The American Booksellers Association Board of Directors held its 2009 fall meeting in Tarrytown, New York, from Sunday, October 11, through Tuesday, October 13.

Over the course of the two and a half days of meetings, the Board:

- Heard a report from ABA President Michael Tucker, of Books Inc. in San Francisco, about his activities on behalf of the association since the last Board meeting in July, including meetings with the boards of the regional booksellers associations and working with ABA's Electronic Catalog Task Force to encourage booksellers and publishers to use the Edelweiss interactive catalog platform;
- Received a report from ABA CEO Oren Teicher on a wide range of activities relating to the Ends Policies², established by the Board. Highlights included staff efforts regarding digital content, publisher relations, bookseller education, and advocacy for healthcare reform and online sales tax equity;
- Reviewed and approved revisions to the Governance Policy Manual³, as part of ABA's ongoing effort to closely monitor the association's practices and procedures;
- Heard an update on plans for the Fifth Annual Winter Institute⁴ from ABA COO Len Vlahos;
- Met with senior members of the Random House sales department to discuss, among other things, issues related to credit, and electronic catalogs;
- Heard a report from COO Vlahos and ABA IndieCommerce Director Ricky Leung on the status of the migration of ABA member IndieCommerce sites to the new Drupal platform, as well as efforts related to digital content and e-readers;
- Approved a short-term, as-is budget to allow ABA's new leadership to complete a reorganization plan that will be reflected in a new budget to be presented for approval at the February 2010 Board meeting;
- Received a report from ABA Director of Member Services Jill Perlstein on the winding down of the ABA Gift Card Program, announced to ABA members in September;
- Met with the association's investment advisor, William King, senior vice president, investments, for Merrill Lynch, as well as with Michael Petroff, vice president, institutional sales and portfolio manager for Heartland Advisors, one of the groups managing the association's endowment. King reported that a strong financial climate in August and September had resulted in a positive end to ABA's 2009 fiscal year. ABA CFO Eleanor Chang noted that the strong showing in the markets had reduced the association's projected budget deficit;
- Reviewed and accepted a report from the Governance Review Committee, which had requested input from ABA members over the course of the summer. The Board is preparing a response to the report, to be shared with ABA members later this fall;
- Reaffirmed that the 50-percent ABA member dues reduction, which was instituted at the beginning of this year to help members through tough economic times, applies to calendar year 2009 dues renewals only, including the vast majority of ABA members whose dues renew in December 2009;

- Shared observations and information learned from Board and senior staff members who participated at the fall regional trade shows;
- Met with Chris Palma, Google strategic partner development manager, who updated the Board on Google Editions.

In conjunction with the Board meeting, the ABA Audit Committee, which is charged with overseeing and managing ABA's financial dealings, met with the association's auditors Marks Paneth & Schron LLP, in New York City on Wednesday, October 14.

Not Knowing Credit Card Best Practices Will Cost You

October 22, 2009 -- No bookseller has to be reminded that a successful bookstore's profit margin is, more often than not, slim, and -- in the current economic climate -- possibly non-existent. It's for that very reason, said Michael Barnard of Rakestraw Books ⁵ in Danville, California, that booksellers must be pro-active in how they handle credit cards and card transactions, to minimize the associated costs and risks. Barnard recently led a session on credit at the Northern California Independent Booksellers Association Trade Show.

"This is an important issue in an industry with a two percent margin," Barnard said. "If credit card transactions cost you two percentage points rather than a half percentage point, there [could go] your profit margin right there." The days when people paid in cash or by check are slipping away, if they haven't already. "More and more transactions are shifting to debit cards," he said. "Sales that once were free now cost money, and this is a new layer of expense. I think a reason that retailers are less profitable overall is because of this."

Know the card and the transaction fees

Every credit or debit transaction carries a fee, and it's paramount for retailers to know what their credit card processor is charging for each. How much a bank will charge you for a particular type of card transaction is based on the level of risk to the issuer, as well as how the bank or acquirer is rewarding their customers. For example, a card transaction that is manually entered and is not signature secured will usually carry a higher fee than either a credit card transaction where a signature is secured or a debit transaction where the card is swiped and the customer has entered a security pin number. In addition, American Express cards will have higher fees because the company does not charge its customers interest and makes its profits from fees. Rewards cards will cost more, as well. The actual costs will vary from bank to bank.

For transactions of around \$20 or more, the least expensive for the retailer is usually a debit card transaction where the customer enters in his or her pin number, as opposed to a credit card transaction requiring a signature. For sales under \$20, how the transaction is processed "doesn't matter," said Changing Hands Bookstore ⁶ co-owner Bob Sommer. This threshold may be different for each store based on their transaction percentage rate, but will generally be in the \$15 to \$25 range.

Since debit card transactions are generally less expensive, both Sommer and Barnard said that their staffs are trained to encourage customers to use their pin numbers if at all possible. "We ask, 'Will you be paying with debit?'" Sommer noted. Most customers generally don't mind either way, but if they prefer to sign for a transaction, the staff is instructed to do as the customer wishes.

"You must train frontline staff to ask the question based on knowing where that [threshold] point is," Barnard stated. "They should look at the card and [if it's a debit card], ask the customer can we treat this as a debit. People are good about it. Some don't want to, and you can't do anything about it. But if you never ask the question ..."

Over the long haul, prompting customers to use pin numbers can save a bookstore a significant amount of money. "At say \$100, a signature transaction might cost me between \$2 and \$2.50," Barnard said. "But it's \$0.40 to \$0.70 if I treat it as a debit."

Sommer said he has heard of retailers providing discounts for cash purchases, although that is not a Changing Hands policy.

Another way to cut costs is to find a processor offering better rates. Since banks charge different transaction fees, both Sommer and Barnard recommended that booksellers seek bids from different companies and a re-bid from the company they currently use. "If you tell your bank you're going somewhere else," chances are they will try to keep your business, Barnard said.

And finally, a merchant can simply choose not to accept more expensive cards such as American Express and Discover. However, because of the "honor all cards" agreement that merchants must sign, a store cannot refuse a specific MasterCard or Visa simply because it is a rewards card or is not a debit check card. "You can't pick and choose," said Barnard. "Failure to [honor all cards] will get your credit card [merchant status] revoked."

Credit Card Hardware

When it comes to the kind of terminals a bookstore uses, Barnard stressed that booksellers should educate themselves on the hardware they need to minimize costs, and the hardware they do not need. "Some retailers think they need to get a pin pad for debit card purchases," Barnard explained. "But we just take the credit card terminal and turn it around [to face the customer] and let them key in their pin number."

Barnard noted that booksellers should be aware of a new, less expensive transaction type that is available now, but at present is rarely used by retailers: Pay Pass. "This provides a new level of security where information is encoded into a hologram on the card," he said. "The [Pay Pass] terminal reads the hologram when the customer taps it with their card.... At the moment, banks are not prioritizing Pay Pass ⁷ ." However, because Pay Pass is more secure, he believes it is just a matter of time until banks start promoting this payment method. When enough customers are using it, a bookstore could save even more on transactions by offering Pay Pass.

Changing Hands' Sommer noted that human error sometimes comes into play when it comes to credit card transactions, and his store uses PC Charge ⁸ to guard against such instances as best as possible. "PC Charge runs the credit card through the point of sale and that has saved us money," Sommer said. "It keeps any employee from finishing a sale without a charged credit card -- such as instances where a card is rejected and the employee didn't notice."

If a store does many off-site events, Sommer noted it might be worth buying a wireless credit card terminal. "We do have a wireless terminal -- it's not cheap, but it's not [a] manual [transaction], so you get a better rate," he explained. "It's handy, and sometimes we use it in the store when registers are busy."

Data Security

Data security, if handled carelessly, is not only costly, but the fines

for a breach traced back to a store are so hefty it could put any bookstore out of business. For that reason, a bookstore owner must understand what it takes to be Payment Card Industry Data Security Standard (PCI/DSS) compliant.

The PCI Security Standards Council offers merchants a self-assessment questionnaire (SAQ)⁹, which the council notes is a "validation tool intended to assist merchants and service providers in self-evaluating their compliance with" PCI/DSS. There are multiple versions of the PCI/DSS SAQ to meet various scenarios. The questionnaire also contains an attestation of compliance that a merchant then provides to their acquirer or card brand.

Barnard warned that a retailer can be charged a monthly fee for non-compliance (see the PCI FAQs¹⁰). "If you then become properly qualified, once you said you are doing it right, if they trace a data breach back to you, you are responsible for the costs, including fines.... So once you verify you handle data properly, you can't fake it. This is something you need to discuss with your credit card processing rep." --David Grogan¹¹

My Website Has E-books, Now What Do I Do?

October 22, 2009 -- By Len Vlahos, ABA Chief Operating Officer

"I skate to where the puck is going to be, not where it has been."
--Wayne Gretzky

In early September, ABA IndieCommerce¹² launched the ability for participating stores to sell e-books directly to consumers. The e-books are fulfilled by Ingram Digital and come in three different formats: Adobe (compatible with Sony and other stand-alone e-readers), Palm (compatible with iPhones and other mobile devices), and Microsoft (compatible with the PC-based Microsoft Reader).

"So great," you're thinking. "I can sell e-books, but how come no one is buying them?" The answer is simple. Your customers have to know about it first. Our corporate competitors have been beating the e-book drum loudly. So loudly that consumers simply do not know or think indie bookstores are in the game. But we are, and we need to tell the world.

What follows are a few ideas to get you started on the road to selling e-books:

1. Curate content on your website.

Using one of your Drupal content areas, create a selection of five to 10 e-book titles to promote to your customers. Choose a specific format to promote. For example, create a section called "Buy e-Books for Your iPhone Here!" and feature titles in the Palm format. Have your staff select the titles as they would for any other staff picks section, and ask them to write reviews. Feature this section on the top of your homepage, above the scroll. There are myriad variations on this theme, but the basic idea is the same -- curate the content and put it in a prominent place on your website. (To help promote sales, a special collection of 20 popular Indie Next List titles available in e-book format is now featured on IndieBound.org.)

2. Promote your website -- and your ability to sell e-books -- in the store.

Does your store's voicemail message mention that you're open 24/7 at [your web address here]?

Is it on your receipts? Your bookmarks?

Is your staff trained to talk about the website?

Is there a sign on the door? At the cash/wrap?

Do you have a bag stuffer?

The store's website is an extension of the store itself. Several booksellers have set up an in-store computer for customers to use and the homepage is the store site. For e-books specifically, create a display of print books that matches the curated content on the website (see #1 above).

3. Promote e-books to people outside the store.

Use your store newsletter to promote the sale of e-books. If you do radio or newspaper ads, include a line about the sale of e-books. Mention it at off-site events. Anywhere you talk about the store, also be prepared to talk about your website and e-books.

4. Be competitive.

ABA cannot and would not tell its members how to price product. That said, it's clear that the e-book market is very unsettled, and there is real opportunity for independent bookstores. Now is the time to act. With this in mind, we believe the focus should be on gaining market share rather than on earning margin. Granted, IndieCommerce stores don't make great margin on e-books to begin with (it varies wildly, but averages close to 30 percent), but you also invest \$0 in inventory, and have no picking, packing, and shipping costs. It's a very inexpensive sale. This allows for some flexibility in pricing, and we encourage you to look at different models, and to find the one that suits your business best. While you may not be able to match prices on some e-books, you can be competitive on many titles.

5. Stay informed.

Keep up with current news and trends in the digital space. Read *BTW*, read *Shelf Awareness*, read blogs and newspapers. And experiment. If you've never downloaded an e-book, do it today. Go through IndieBound.org¹³ and find a store that sells e-books. If you have an iPhone, download a Palm format right to your phone. If you have a Sony eReader, download an Adobe format. If you have neither, try the Microsoft format. You'll see that it's not so hard, and you'll have a better feel for how to answer customer questions.

The ABA staff stands ready to help you make your way through the sometimes confusing and often troubled waters of e-books. If you have questions, don't hesitate to ask¹⁴. And if you have successes, please let us know!

Indie Next List Great Reads -- Now in E-books

October 22, 2009 -- E-book sales are rising rapidly¹⁵, revolutionizing the publishing industry, and creating new opportunities for independent bookstores. Stores with ABA IndieCommerce¹⁶ sites are now fully equipped to sell more than 220,000 titles on their websites -- the key is getting the message out there. To help, a special collection of 20 popular Indie Next List titles¹⁷ available as e-books has been assembled on IndieBound.org.

The initial list includes such customer favorites as *Three Cups of Tea*, *The Brief Wondrous Life of Oscar Wao*, and *The White Tiger*. The list will be updated periodically to keep it fresh.

Customers can click through the purchase button and enter their zip code to buy the e-books through an IndieCommerce website that

has migrated to the Drupal platform¹⁸. Once there, they can select their preferred format, purchase, and download the e-book immediately.

The list will soon be available as a block for use by IndieCommerce users on their own websites as well, and it will be featured in the next version of the IndieBound iPhone app¹⁹.
--Matt Supko²⁰

Campaign for Reader Privacy Voices Support for House Patriot Act Bill

October 22, 2009 --²¹ The American Booksellers Association and its partners in the Campaign for Reader Privacy²² today voiced support for a new House bill that would restore important reader privacy protections eliminated eight years ago by the USA Patriot Act. The USA Patriot Amendments Act of 2009 (H.R. 3845), introduced on October 20 by House Judiciary Committee Chairman John Conyers (D-MI) and committee members Jerrold Nadler (D-NY) and Bobby Scott (D-VA), would prohibit the use of Patriot Act Section 215 searches to obtain documentary materials from a library or bookstore that contain personally identifiable information about a patron or customer. The provision would effectively bar the government from engaging in fishing expeditions to identify people who are reading "suspicious" books.

"The introduction of the Patriot reauthorization bill in the House is another major step forward for the reader privacy fight," said Chris Finan, president of the American Booksellers Foundation for Free Expression²³. "Now, leaders of both the House and the Senate have indicated their support for providing additional protections for reader records. But nothing has passed yet. We have to ensure that those protections are in the final bills that are voted on by Congress."

Section 215 allows the FBI to secretly obtain any "tangible thing," including any business records that are "relevant" to an ongoing investigation. It can be used to search the records of people who are not suspected of any criminal acts. Congress is now debating changes in Section 215 and other provisions of the Patriot Act that expire in December, which presents a unique opportunity to remedy the serious threat to reader privacy in the current provision.

On October 8, the Senate Judiciary Committee approved S. 1892, which reauthorizes Section 215 for four years. The bill contains additional protections for the privacy of library records but fails to extend that protection to bookstore records. The introduction of H.R. 3845 means that the House will give serious consideration to protecting reader privacy in both libraries and bookstores. "Notably, the bill would allow Americans to use libraries and bookstores without fear that their choice of books will be monitored by overzealous federal agents," Congressman Nadler said in a press release Wednesday.

The Campaign for Reader Privacy was organized in 2004 by ABA, the American Library Association, the Association of American Publishers, and PEN American Center.

Needs of Small Business Take Center Stage at Health Care Hearing

October 22, 2009 -- On October 20, Sen. Mary Landrieu (D-LA), chair of the U.S. Senate Committee on Small Business and Entrepreneurship, and ranking member Sen. Olympia J. Snowe (R-ME), held a hearing, "Reform Done Right: Sensible Health Care Solutions for America's Small Businesses²⁴", to better understand

the needs of small businesses regarding health care reform and to examine whether the current proposals meet those needs.

"There are 27 million small businesses in our country, accounting for more than half our workforce," Landrieu said. "These citizens who invest their time and money and assume the many risks associated with creating successful businesses deserve our best effort to reduce the slow growth of their income. They deserve a voice in this health care debate, and I have convened this hearing today to provide a forum for their voice to be heard."

At present, small business' health care costs are increasing faster than the prices of the products and services they sell, Landrieu noted. "If Congress fails to act now, health care costs are only expected to continue to rise. According to the Small Business Majority [SBM], the next decade promises that health care costs for small businesses will increase from \$156 billion today to almost \$2.4 trillion by 2018."

Due to high health insurance costs, small businesses, "most of which want to provide coverage," said Landrieu, are faced with the choice of cutting wages or cutting health insurance -- and health insurance is usually the first to go. "Many of us here in Washington, including myself, ranking member Snowe, and President Obama, have said that the quality, affordable health care choices we have access to through the Federal Employees Health Benefits Program (FEHBP) should be available to all Americans."

Karen Mills, head of the U.S. Small Business Administration, noted, "For decades, surveys of small businesses have shown that the number one concern of small businesses is ... access to affordable health care. Since 1986, the [National Federation of Independent Business] survey has ranked health care costs number one on top of the list of 75 issues facing small businesses. Thanks to the hard work of this committee and many in Congress, we are closer than ever to putting reforms in place that have the potential to benefit millions of entrepreneurs, small business owners, and their employees." And, she stressed, "The status quo is not an option."

John Arensmeyer, founder and CEO of the Small Business Majority, told the committee that over the past several months, his organization "has polled small business owners in 17 states and they have consistently supported health care reform as a vital step toward a reinvigorated economy.... Without reform, premiums will continue to rise, taking a huge toll on the profits of small business and the jobs they provide." He added, "If we don't get control of this crisis facing small business, we will impede our nation's economic growth. Comprehensive health care reform is essential to our vitality as a nation."

The areas that Congress should focus on, said Arensmeyer, include ways to mitigate health care costs for the 22 million self-employed entrepreneurs. All the current plans in Congress will require self-employed entrepreneurs to buy health insurance and may require those that already have insurance to purchase health insurance at an additional cost. "The tax code doesn't allow them to deduct the cost of health insurance for income and self-employment tax," he explained.

Arensmeyer stressed it is "essential to have an insurance exchange that is well designed and robust" and that offers healthy competition with as "large a pool as possible" to drive competition. "And finally, cost containment provisions in the merged bills should be maximized to ensure that not only government health care spending, but also costs for individuals and employers are reduced."

Amanda Austin, director of federal public policy for the National Federation of Independent Business (NFIB), cited escalating costs, a "severe lack" of competition, and a "serious lack of choice" as key reasons why health care has remained a key priority for its 350,000-plus members. Austin said the ultimate goal of reform is lower costs and increased access to health insurance for small business owners.

To achieve these goals, she noted that NFIB is in favor of a health insurance exchange; allowing for the purchase of health insurance across state lines; tax parity for the self-employed; tax credits for small business; and administrative simplification to lessen the burden on small business owners.

Among the areas of concern, NFIB is opposed to a public option, and believes that an employee mandate would hurt the "fragile" economy especially for small business, and would destroy jobs and "fail to increase choice and competition." Austin stated, "The overall cost of the health care bill continues to be a concern for small business owners. In a time of economic uncertainty, small business has a heightened level of anxiety regarding the current deficit, as well as resistance to new spending. They are deeply concerned that this spending would result in higher taxes on them."

Others testifying at the October hearing were Gene Sperling, counselor to the secretary, U.S. Department of Treasury; Keith A. Ashmus, chairman and board member, National Small Business Association; Edmund F. Haislmaier, senior research fellow in Health Policy Studies, the Heritage Foundation; and Ann Sullivan, president, Madison Services Group/Women Impacting Public Policy. --David Grogan²⁵

Wellington Square Bookshop Fills New Space With an Eclectic Selection

October 22, 2009 -- Sam Hankin launched his bookselling career in 2005 when he took his outsize library, which was crowding him at home, and opened Wellington Square Bookshop²⁶ in an 800-square-foot space in the town center of Eagleview in Exton, Pennsylvania. The rare, collectible, and used bookstore did so well that Hankin soon ran out of room there, too. On August 1, the bookshop moved two doors down to a 3,700-square-foot storefront, where sales have doubled monthly and the space is nearly filled to capacity again.

Although the original Wellington Square Bookshop was a small store, it made hundreds of international sales online. "Some of the books we sold went for \$20,000 or more, including a first edition of *Ulysses* by James Joyce," Hankin said. "We continued to sell out of the shop for three years until we completely filled it and made it impossible for anyone to maneuver between the stacks. It was then that I decided to make the move to a larger space."

The bookshop also broadened its range. "In the past I dealt with rare, used, and collectible books," Hankin explained. "Given today's economic conditions, the socio-economic demographics of our community, the more mainstream we have become. We now include new books, retail products, a cafe, and an outdoor area with umbrellas, tables, and eventually concrete chess tables as well. We have a rare book room, which is soundproof and contains the more valuable books. We also specialize in British signed first editions, American first editions, and an extensive library of Limited Edition club books."

Hankin's family is the developer of Eagleview, and he and his brothers built the brick building that houses the store. "It looks and feels like an old British railway station," he said. "It's surrounded

by a 'green' with an esplanade, a gazebo, and a fish pond as well as ornamental gardens and groves." The facade has architecturally designed patterns woven throughout, and the interior is divided into separate galleries for rare, new arrivals, children's, and used books. "It all feels like a cross between a bookshop, a library, an antique store, a bazaar, and a fairyland."

In addition to offering an inventory of some 20,000 titles, the store is "an emporium of sorts" and is packed with "book paraphernalia, and ephemera, as well as other exotic and unusual retail items," Hankin said. "Rocks and minerals, Indian and Asian parti-colored and festive cushions, ottomans, and tables. We also have music boxes, skeletons ... We carry Arabic compasses pointing the way to Quibla. The odd wallaby. We also carry expensive and inexpensive candles." Other offerings include, but are not limited to, children's toys, puzzles, card games, paper dolls, clocks, diaries, chocolates, and coffee.

The bookshop has also expanded their online presence. Along with the website, Wellingtonsquarebooks.com²⁷, it now has a Facebook page²⁸, a blog²⁹, and a Twitter feed³⁰.

Customer response to the Wellington Square Bookshop expansion has been "excellent," said Hankin. "Our clientele has expanded each month. We host numerous book clubs. We have weekly children's reading hours, and we have an open microphone night, at which time students and adults can read their own material, or that of others. We also have local author signings, and are expecting to have more prominent authors schedule events in the near future."

Also in the near future, said Hankin, are a few more changes and expansions. "We intend to expand our retail collection with more exotic and eclectic items," he said. "We have been working with local artists to obtain paintings and other artwork on consignment, and in that we have already basically filled the expanded space, our visionary plans include warehouse space where excess inventory will be housed." -- Karen Schechner³¹

Around Indie Bookstores

October 22, 2009 --

Philly Liars Club to Help Womrath's Celebrate 60 Years

Womrath's Book Store³² of Tenafly, New Jersey, will celebrate its 60th anniversary on Saturday, November 7, with the help of the Philly Liars Club³³, a group of professional writers who basically lie for a living. The Womrath's bash will be part of the group's "Truth Tour," a series of parties celebrating independent bookstores. Womrath's is owned by Sheila and Bob Kutik. Bob's father, Harry, who was left a paraplegic from wounds suffered in World War II, opened Womrath's (then a franchise) in Hackensack, New Jersey, in 1949 with the help of the 52 Week Club, a disabled veterans group. Harry Kutik operated the business successfully for many years. He passed away 12 years ago, and, in 2001, his family relocated the business to another former Womrath's franchise in Tenafly.

The free anniversary party will include munchies, trivia games, a host of authors, and prizes and giveaways including signed books and book bags. Liars Club members scheduled to appear include Bram Stoker award-winner Jonathan Maberry (*Patient Zero*, St. Martin's), fantasy author Gregory Frost (*Shadowbridge* and *Lord Tophet*, Del Rey/Random House), young adult novelist Marie Lamba (*What I Meant...*, Random House), crime author Dennis Tafoya (*Dope Thief*, St. Martin's), mystery writer Jon McGoran

who writes as D.H. Dublin (*Freezer Burn* , Berkley), historical author Keith Strunk (*Prallsville Mills and Stockton* , Arcadia Publishing Images of America Series), novelist Kelly Simmons (*Standing Still* , Washington Square Press/Simon and Schuster), mystery author Merry Jones (*The Borrowed and Blue Murders* , Minotaur Books), Poe scholar Ed Pettit, and social media marketing consultant, writer, and lecturer Don Lafferty.

Blue Manatee Children's Bookstore Turns 20

Blue Manatee Bookstore Children's Bookstore and Decafe ³⁴ in Cincinnati, Ohio, will be celebrating its 20th anniversary with an all-day party on Saturday, October 24. The store, owned by John Hutton and Sandra Gross, "is just perfectly designed to engage children in all things reading," according to a blog posting on Family Friendly Cincinnati ³⁵ .

The store, which caters to children through their teen years, even carries titles for adults, as well as toys, games, puzzles, and gift items. A full calendar of events includes storytimes, music programs, books clubs, craft activities, and author signings.

Saturday's anniversary event offers T-shirt making, storytimes, a concert, and a book signing by Loren Long, author of *Otis* (Philomel).

Powell's Celebrates 15 Years of Online Bookselling

This month, Powell's in Portland, Oregon, celebrates its 15th year as an online bookseller. Launched in 1994, by owner Michael Powell with the help of his senior staff, Powells.com ³⁶ now drives 25 percent of Powell's Books' overall business.

And, Powell's noted, "85 percent of [its] online orders ship to customers outside the Pacific Northwest, most of whom have never visited Powell's 38-year-old brick-and-mortar City of Books location. "

Emily Powell, who will be taking over the reins of the family business next summer, is currently focused on developing the Powells.com business.

Michael Powell attributed Powells.com's success to "the vast selection of new and used books, the agility of an in-house computer programming team, smart, original author interviews and content, and excellent customer service." Online shoppers can also speak with a Powell's employee when they need help to place an order.

To celebrate, Powells.com is throwing a 15-day party ³⁷ , including a sweepstakes with a grand prize of \$1,500 in Powells.com credit. Daily prizes are being awarded from October 15 to 30.

Powell's, Tattered Cover, Harvard Bookstore at Top of Twitter

NFI Research ³⁸ has ranked the "top independent bookstores in the U.S. on Twitter who 1) regularly update their page and communicate with their followers; 2) use Twitter to advance/promote communication with their community; 3) have a proportionate number of followers to following; and 4) are active on Twitter as of October 19, 2009."

The research firm puts Portland, Oregon's Powell's ³⁹ at the top of the heap ... with 10,000-plus followers, with Denver's Tattered Cover ⁴⁰ and Cambridge, Massachusetts' Harvard Bookstore ⁴¹ in second and third place, respectively, with 3,000-plus followers. The next three slots, all with 2,000-plus followers, are filled by California icons -- Skylight Books ⁴² in Los Angeles, Vroman's ⁴³ in

Pasadena, and Book Soup ⁴⁴ in West Hollywood. Rounding out the top 10 are Word ⁴⁵ in Brooklyn, New York; Book Culture ⁴⁶ in New York City; BookPeople ⁴⁷ in Austin, Texas; and Metropolis Books ⁴⁸ in Los Angeles.

The complete NFI list of twittering indies can be found at www.nfiresearch.com ⁴⁹ .

BTW News Briefs

October 22, 2009 --

Ohio Supreme Court Hears Free Speech Case

On Tuesday, October 20, in the Ohio Supreme Court, a coalition led by the American Booksellers Foundation for Free Expression ⁵⁰ expressed their contention that a law aimed at protecting children from online pornography and predators will inhibit protected, legal speech, as reported by the *Associated Press* ⁵¹ . AP reported that the 6th U.S. Circuit Court of Appeals based in Cincinnati asked justices to sort out two legal questions before moving forward on the Ohio lawsuit. The questions involve what is meant by the technical terms contained in the law: "mass distribution" and "personally directed devices," AP noted. Ben Mizer, the Ohio solicitor general, argued that the state law on distributing material harmful to minors was revised in 2004 to apply only to one-on-one communications by adults knowingly targeting kids. At issue Tuesday before the court was the 2004 revision.

ABFFE President Chris Finan told AP that the group is challenging the law because of fear it would have a chilling effect on online merchants. "Booksellers shouldn't be exposed to criminal liability for posting materials on the Web that they would have on sale in their stores," he said. Other groups joining the lawsuit are the National Association of Recording Merchandisers, the Video Software Dealers Association, the Sexual Health Network, the Association of American Publishers, the Ohio Newspaper Association, the Freedom to Read Foundation, and Web del sol, an online literary arts community.

IBNYC to Celebrate First-Ever Indie Bookstore Week

⁵² The Independent Booksellers of New York City (IBNYC) is hosting the first ever Indie Bookstore Week NYC ⁵³ from November 15 through November 21. Special author appearances, events, and promotions are planned throughout the city, and a special pre-week party will take place on November 11 from 7:00 p.m. to 10:00 p.m. at PowerHouse Arena.

Featured authors will include: Kurt Andersen (*Heyday*), Jennifer Egan (*The Keep*), Michael Greenberg (*Beg, Borrow, Steal*), Josh Neufeld (*A.D.: New Orleans After the Deluge*) and Sharon Zukin (*Naked City: The Death and Life of Authentic Urban Places*) The party will include refreshments, giveaways, and live music. It is open to the public, with a suggested donation of \$10 to IBNYC at the door.

Sen. Landrieu to Introduce Bill Increasing Loan Limits for Small Businesses

The U.S. Senate Committee on Small Business and Entrepreneurship chair, Mary L. Landrieu, (D-LA), has announced plans to introduce a bill increasing limits on small business loans. The bill comes after months of talking with small business owners and lenders and in conjunction with an announcement by President Obama that new measures are underway to increase small business

access to capital and create jobs.

"As Chair of the Senate Small Business Committee, I have held several hearings, roundtables, and other events and have heard from lenders and small business owners that the current loan limits do not adequately meet their needs," Sen. Landrieu said in a statement. "That is why today I am introducing legislation to raise the limits on small business loans to as high as \$5.5 million. Coupled with lower-cost capital available to community lenders, these higher loan limits will spur small business growth and aid in our nation's continued economic recovery."

The bill being introduced: increases the maximum 7(a) loan to \$5 million (up from a maximum of \$2 million); increases the maximum 504 loan to \$5.5 million (up from a maximum of \$1.5 million); increases the maximum microloan to \$50,000 (up from a maximum of \$35,000); enhances refinancing of 504 loans; and allows ARC loans to be used to help borrowers with existing 7(a) loans, among other things. For more information go to <http://sbc.senate.gov> ⁵⁴.

Online Retailers to Emphasize Free Shipping, Social Media This Holiday Season

The economy is not only impacting shoppers, it's affecting online retailers, too. According to the results of Shop.org's eHoliday Study, conducted by BIGresearch, shoppers will see changes in retail marketing and promotions this holiday season in response to economic uncertainty.

The study noted that, with an understanding that many of today's shoppers use Facebook and Twitter regularly, and because these tools are more cost-effective than traditional advertising, 47.1 percent of retailers surveyed will be increasing their use of social media this holiday season. More than half of retailers said they have added or improved their Facebook page and Twitter pages this year, while two-thirds have added or enhanced blogs and RSS feeds. In addition, to provide consumers with an extra incentive to start shopping, one-third of retailers say they will offer holiday deals earlier this year.

Moreover, free shipping offers will abound this holiday season. Four out of five online retailers will offer free shipping with conditions at some point during the holiday season, while more than half also plan to offer free shipping without conditions. More than one-third said their budgets for free shipping are higher than last year, and nearly as many said free shipping offers will start earlier than a year ago. Online retailers are also compensating for the economy by making operational changes to help them protect their profits. According to the survey, 41.4 percent of retailers have scaled back on inventory levels and 22.9 percent have hired fewer people in their stores.

While online growth is expected to slow this holiday season, it remains a bright spot in retail. According to the survey, 45.8 percent of online retailers expect their holiday sales to increase at least 15 percent over last year, while one-third expect sales to grow up to 14 percent.

Economy to Impact Two-Thirds of Families' Holiday Shopping

Retailers are about to embark on the holiday season of the serious bargain hunter. According to the National Retail Federation's 2009 Holiday Consumer Intentions and Actions Survey, conducted by BIGresearch, U.S. consumers plan to spend an average of \$682.74 on holiday-related shopping, a 3.2 percent drop from last year's

\$705.01. "While last holiday season was filled with chaotic confusion, adjusting to uncertainty has now become routine for many Americans," said NRF President and CEO Tracy Mullin in a statement. "This holiday season will be a bit of a dance between retailers and shoppers, with each group feeling the other out to understand how things have changed and how they must adapt."

According to the survey, 55.2 percent of adults would like to receive a gift card this holiday season, with clothing, books and DVDs, and electronics among other popular choices.

More than half of holiday shoppers say that sales and price discounts or normally low prices will be the most important factor when deciding where to shop. Most holiday shoppers will purchase from discounters this year, though more than half will also shop at department stores. Grocery stores, the Internet, clothing stores, and electronics stores will also be popular destinations. In addition, one in ten holiday shoppers (11.4 percent) will buy gifts or other holiday-related merchandise at thrift stores or resale shops. Retailers are compensating for soft sales this holiday season by cutting back on inventory.

ABA Board Nomination Deadline October 30

October 22, 2009 -- Nominations of qualified candidates to serve on the American Booksellers Association's Board of Directors ⁵⁵ must be received by the Nominating Committee, chaired by Ken White of the SFSU Bookstore, by Friday, October 30. Any ABA member may submit nominations for board directors.

A candidate for the Board of Directors must be an ABA member who is the owner or employee of an independent bookstore with a storefront location that is operated according to sound business principles. In addition, a candidate must have at least three years of recent experience as the owner or employee of a member company. It is desirable that nominees have at least two years of experience as an active volunteer in ABA or in a regional association or other constituency organization, or possess similar experience. Complete qualifications are outlined in the "ABA Nomination and Election Guidelines" ⁵⁶.

Nominations can be submitted via an electronic form ⁵⁷ or a downloadable PDF ⁵⁸ on BookWeb.org. The downloadable form should be sent to the attention of White, either by fax to (415) 338-1450 or by mail to the SFSU Bookstore, 1650 Holloway Avenue, San Francisco, CA 94132. The Nominating Committee requests that as much information as possible be provided about Board candidates. All information will be kept confidential.

IndieBound Logo Now a Registered Trademark

October 22, 2009 -- The American Booksellers Association recently received registered trademark protection for the IndieBound logo. Accordingly, the association has added the registered trademark symbol -- ® -- to the IndieBound and IndieBound.org logos in the Bookseller DIY ⁵⁹. Over the course of the next several weeks, ABA will be updating all of the many IndieBound graphics in the Bookseller DIY to reflect this new status.

To help preserve IndieBound's trademark rights, ABA is asking all members to use the new version of the logos moving forward whenever appropriate.

Booksellers with questions, and those who need additional graphics files, should contact IndieBound Outreach Liaison Paige Poe ⁶⁰.

The Indie Sci-Fi & Fantasy Bestseller List

October 21, 2009 --

For the eight-week period ending October 20, 2009, and based on sales at independent bookstores nationwide.

1.	The Time Traveler's Wife Audrey Niffenegger, Harvest, \$14.95, 9780156029438
2.	The Magicians Lev Grossman, Viking, \$26.95, 9780670020553
3.	Fahrenheit 451 Ray Bradbury, Ballantine, \$6.99, 9780345342966
4.	1984 George Orwell, Signet, \$9.99, 9780451524935
5.	Anathem Neal Stephenson, Harper, \$7.99, 9780061474101
6.	The Wild Things Dave Eggers, McSweeney's, \$19.95, 9781934781616
7.	Ender's Game Orson Scott Card, Tor, \$6.99, 9780812550702
8.	The Host Stephenie Meyer, Little Brown, \$25.99, 9780316068048
9.	World War Z Max Brooks, Three Rivers, \$14.95, 9780307346612
10.	Wicked Gregory Maguire, Harper, \$16, 9780060987107
11.	The Hobbit J.R.R. Tolkien, Ballantine, \$7.99, 9780345339683
12.	Unseen Academicals Terry Pratchett, Harper, \$25.99, 9780061161704
13.	Paul of Dune Brian Herbert, Kevin J. Anderson, Tor, \$9.99, 9780765351500
14.	The Resurrectionist Jack O'Connell, Algonquin, \$13.95, 9781565126787
15.	Ice Land Betsy Tobin, Plume, \$15, 9780452295698
16.	Good Omens Neil Gaiman, Terry Pratchett, HarperTorch, \$7.99, 9780060853983
17.	A Clockwork Orange Anthony Burgess, Norton, \$13.95, 9780393312836
18.	Oryx and Crake Margaret Atwood, Anchor, \$14.95, 9780385721677
19.	A Princess of Landover Terry Brooks, Del Rey, \$26, 9780345458520
20.	The Name of the Wind Patrick Rothfuss, Daw, \$8.99, 9780756404741

21.	The Winds of Dune Brian Herbert, Kevin J. Anderson, Tor, \$27.99, 9780765322722
22.	Cat's Cradle Kurt Vonnegut, Dial, \$15, 9780385333481
23.	Dune Frank Herbert, Ace, \$7.99, 9780441172719
24.	The Hitchhiker's Guide to the Galaxy Douglas Adams, Del Rey, \$7.99, 9780345391803
25.	Storm Front Jim Butcher, Roc, \$7.99, 9780451457813

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Washington State: Trails End Bookstore, located in Winthrop, WA. This 1,800 square foot, small town bookstore is thriving, profitable, and a joy to operate. Current owners receive a generous salary and take 2 - 4 months vacation per year. The highly skilled staff runs the store when owners are away. Prime downtown location, newly remodeled, professionally designed store, with new fixtures (2007). Current owners also own building, long-term lease available. Owners are moving on to new challenges. This is a great opportunity for the right person. Sales price of \$349,800 + inventory (average of \$65,000, but can be reduced). Full sales presentation packet available. Please contact Brian Sweet, (509) 996-7888 or telesweet@hotmail.com ⁶⁸.

OPPORTUNITY

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