

BOOKSELLING THIS Week

AMERICAN BOOKSELLERS ASSOCIATION

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Fifth Annual Winter Institute: Another Winner

February 11, 2010 --

¹
Andrew Weinstein, vice president and general manager of retail solutions at Ingram Digital

²
Daniel Pink, author of *Drive: The Surprising Truth That Motivates Us* (Riverhead)

"Stellar," "inspirational," "encouraging," "wonderful," and "uplifting" are just some of booksellers' words of praise ³ for last week's ABA Winter Institute ⁴. The three-day education program gave booksellers, both new and experienced, plenty of practical ideas to bring home to their stores, as well as knowledge to respond

to the rapidly changing digital environment. Sessions on everything from e-books and technology issues to handselling and alternative business models were interspersed with plenty of opportunities for networking, two Rep Picks Speed Dating meal events, and keynotes featuring industry leaders, including Ingram's Andrew Weinstein, Google Books' Daniel Clancy, Verso's Jack McKeown, and Daniel Pink, author of *Drive: The Surprising Truth That Motivates Us* (Riverhead).

⁵
ABA President Michael Tucker of Books Inc.

ABA President Michael Tucker of Books Inc. ⁶ in San Francisco opened the Winter Institute with a warm welcome to the approximately 500 booksellers in attendance and sincere thanks to the overall event sponsor, Ingram, and Wi5's publisher partners and friends for their support ⁷. Tucker drew a standing ovation when he extended a "special thanks and a show of support to the Macmillan companies" for the "stand they have taken in the face of bullying tactics" by Amazon.com regarding the pricing of e-books. (Read this week's related story.)

⁸
Exploring alternative business models: Mitchell Kaplan of Books & Books; Roxanne Coady of R.J. Julia Booksellers; Steve Bercu of BookPeople; and ABA COO Len Vlahos.

There was plenty on the Wi5 schedule for booksellers at all levels of experience: Juliet Sealand and Lara Triona, who are planning to open a bookstore in Boulder Creek, California, were impressed with the wonderful sense of community at Wi5, as well as the educational offerings. "My head is packed," said Sealand as she browsed through Wi5's Galley Room. "Everyone has been so supportive," added Triona. For Mindy Ostrow of The River's End Bookstore ⁹ in Oswego, New York, the recipient of a Wi5 scholarship from Macmillan, the highlights included the Rep Speed Dating events, the networking opportunities, and the array of educational sessions that left her feeling that her "head was ready to explode" with the amount of valuable information that she would be bringing back to her 12-year-old business.

¹⁰
Pete Nelson, author of *I Thought You Were Dead: A Love Story* (Algonquin), autographing at

the Thursday reception.

Tova Beiser of Brown University Bookstore ¹¹ in Providence, Rhode Island, was encouraged to hear Google Books' Clancy talk about the opportunities for indie booksellers to be part of the burgeoning e-book market. And, she, like many other booksellers, put the Thursday night Author Reception at the top of her list of Wi5 highlights.

¹²
The popular Galley Room, featuring forthcoming titles from Wi5's Publisher Partners.

ABA Board member Ken White of the SFSU Bookstore ¹³ in San Francisco, picking up ARCs in the Galley Room on Thursday night, told *BTW*: "I can't remember the last time I wanted to read so many galleys." Though publishers' fall lists had included a number of blockbusters, White said, "There are more books at Wi5 that I really want to read."

¹⁴
Tom Montan of Copperfield's; Kelly Estep of Carmichael's; and Patrick O'Connell of Bookshop Santa Cruz discuss how to create and maintain a successful magazine section with Ingram Periodical's Dan Sheehan.

Just one day after Wi5's Wednesday "Tech Day" programming, Shirley Mullin, owner of Kids Ink Children's Bookstores ¹⁵ in Indianapolis, Indiana, had begun implementing some of the things she had learned. The recipient of a Wi5 scholarship sponsored by HarperCollins Children's Books, Mullin told *BTW* that she had taken to heart the advice of ABA COO Len Vlahos at "Techniques and Tactics for Online Website Promotion" to make the most of hyperlocal websites, such as Yelp ¹⁶ to promote her store. Mullin had already contacted her staff and asked them to look into Yelp. Their response, she said, was to immediately ask her to begin putting together a history of the store to post the Yelp site. Pete Mock of McIntyre's Fine Books & Bookends ¹⁷ in Pittsboro, North Carolina, said, "I enjoyed the Winter Institute in Louisville, but I learned so much here. I have a much better understanding of IndieCommerce and Edelweiss and all the technical changes coming, and I am beginning to wrap my head around it."

¹⁸
Barry Lynn, author of *Cornered: The New Monopoly Capitalism and the Destruction of Economics* (Wiley) and ABA CEO Oren Teicher

discuss what booksellers can do to fight the powers of consolidation.

ABA CEO Oren Teicher, who welcomed booksellers to the second day of Winter Institute programming, stressed that, "although the changes that we are dealing with seem enormous," in 2009 ABA welcomed 40 new indie bookstore members, and, for the third year in a row, a holiday survey of independent businesses ¹⁹ proved that "shop local" movements resonate with consumers. "Because of the efforts of some of you, 2010 is the year we will achieve sales tax equity," Teicher said. And, he pledged, "You have my word, and the word of the ABA staff, we will work every day for a bright future for indie booksellers."

²⁰
The crowd at one of Wi5's 30-plus education sessions.

An upbeat sign for the health indie bookselling, noted by many on the ABA staff, was the number of young booksellers and new faces among the approximately 500 attendees at this year's event.

²¹
Booksellers at the breakfast presentation by Jack McKeown of Verso Advertising.

The results of a consumer survey ²² presented by Verso's McKeown (who graciously stepped in at the last minute to fill in for John Freeman, author of *The Tyranny of E-mail: The Four-Thousand-Year Journey to Your Inbox* (Scribner), who couldn't come because of a death in his family), provided booksellers with even more reasons to be hopeful about the future. Key among the surveys findings was that indies' "mind share" was equal to the chains and more than online sellers ("mind share" being book buyers' preferred shopping location as opposed to their actual shopping location). Read more about the Verso study. ²³

²⁴
Booksellers received a warm welcome from the staff at Kepler's Books

²⁵
ABA COO Len Vlahos and happy booksellers at the Wi5 closing reception

But it wasn't all work and no play at Wi5. On Wednesday evening, attendees were invited to an opening night reception hosted by Clark Kepler and the staff at Kepler's Books & Magazines ²⁶ in Menlo Park. Thursday night was the very popular Author Reception, featuring 40 authors and illustrators signing their new works. And, on Friday night, everyone was invited to Wi5's closing reception.

In addition, on Wednesday afternoon, as part of the Behind the Wheel of the Bookmobile ²⁷ film project, Tom Corwin invited

Winter Institute participants to visit his bookmobile, which was parked outside the main convention area entrance of the Doubletree San Jose.

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Visiting Tom
Corwin's
bookmobile.

For more about Wi5, see this week's articles on the keynotes by Google Books' Daniel Clancy ²⁹ and Verso's Jack McKeown ³⁰, as well as reports on the "State of General Trade Publishing" Panel ³¹ and "Handselling 201: Using the Digital Age to Your Advantage." ³² Watch for further reports on Wi5's education sessions and special events in upcoming editions of *BTW*. Education session handouts are available for download via the Wi5 program schedule ³³ on BookWeb.org. -- *Rosemary Hawkins* ³⁴

Daniel Clancy on Google Editions & the Possibilities for Indie Booksellers

February 11, 2010 -- Daniel Clancy, director of Google Books, offered a keynote presentation at the Winter Institute's Technology Day ³⁵ that provided booksellers with insights into plans for Google Editions, launching later this year, as well as a deeper understanding of the challenges of the e-book marketplace.

Dan Clancy,
director of
Google Books,
chatting with
Books & Books'
Mitchell Kaplan

Clancy began by noting that the movement today is away from an environment where everything is stored locally on a PC to one where data, including e-mail and documents, is stored in the cloud, that is, the concept that you can get services through the Internet that are accessible no matter what hardware you use and where you are. The simplest example of this, he said, is web-based e-mail accounts, such as Gmail, but other examples are Google Docs and video hosting services.

"The other thing that's happening of late that's really important," Clancy said, "is HTML5 -- the idea that we're moving away from having native applications (one that works on your laptop and another that works on your Mac, etc.) and having more and more functionality imbedded in your browser and the browser, in fact, becomes the application." Even when you're offline, HTML 5 allows you to operate as if you're online, and the computer caches the information somewhere on the computer. "You don't where it is, but you know that you can still read your e-mail and you can still edit your documents."

iTunes, he said, is not a cloud-based service, because "they give you a file, and you need to locally manage it." So if your computer crashes, or you lose your iPod, you lose your music.

In the book world, he said, what's interesting about what Amazon is doing is not the Kindle. "It is the concept that these books are cloud-based books. By that I mean, you buy it, and it's stored online. If you lose your device, you can still access your book online. You don't need to manage that content. And it will be there for you." One of the challenges, however, is "to trust that it will be there when you want it."

Digital reading is taking off, Clancy said, to the extent it is (still with just a small percentage of the American populace), because of the ability to access content in the cloud. One of the problems with the cloud, however, "is that all these providers create stovepipe worlds, so once you buy 10 books from one provider, you always buy your 11th book, or 12th book, or 13th book from that provider. Because you have an investment you rely on that provider for your content, but it doesn't work with anyone else."

Regarding the Google Settlement, he stressed that "it's predominately about out-of-print books." Even with used-book sellers, he said, the majority of their sales are in print books and about 97 percent of the book business is books in print.

"There's a historical and societal value in opening up all this content," Clancy said, and the current focus on the settlement "is a distraction from where the focus really should be. Privacy is a huge issue when we start talking about the cloud; we need to talk about the openness of selling e-books; how they're going to be consumed."

Clancy noted that we've lived in the world of physical books for 500 years, "and in the next 20 we're transitioning to another that doesn't have many of the benefits of the physical world." In the digital book world, he said, "the concept of first sale gets challenged; the ability to loan a book; libraries; the ability to preserve a book."

An important concept to get across to consumers is that the digital editions of the books that they care about, especially literary fiction, will continue to be accessible in the digital edition in four or five years. One of the challenges that an independent bookstore has is figuring how to offer a product that competes in that digital world.

"A Google Editions book is stored in the cloud; you will be able to read it on any e-reading device; as long as the device manufacturer allows you to read it on their e-reading device," Clancy noted. Google has talked with Barnes & Noble, Sony, and others, and he said, "In general they're open to this." Google Editions will also be readable on iPhones, tablets, and laptops. In Clancy's opinion, "the tablet is the wave of the future. The tablet is going to be hugely important, not just the Apple tablet. The Apple product will be great, but there will be a flood of tablets coming out."

It is Google's belief, he stressed, that "you should be able to buy these digital books anywhere; and that Google can be provide a platform to ensure that if you buy a digital book from Books Inc. and another from Powell's, they'll both wind up in the same [digital] locker."

The economics are still being worked out, but the plan, he said, is for Google to take "a very small percentage of the overall retail transactions and that we're keeping the majority of economics for the retailer, in terms of the portion that stays in the retail chain."

Consumers will act in the way that's simplest, Clancy believes, and, as a result, he said that indie booksellers need to find a way to make buying a digital book in a physical world -- in their stores -- simple. "If it's a hassle, they'll say wonderful things to you, but go buy where it's easy," Clancy said. "We have some ideas about how to do that, but it's not easy.... We don't have the answers. We have some ideas." That's why, he said, Google is working with ABA and talking to individual booksellers to understand the challenges.

The answer to simplifying the buying process might be something as easy as "taking a picture of the book in a store," he said, but all of the ideas have some challenges. He noted that some booksellers

are currently selling e-books via cards that are available for purchase in their stores (see *BTW*'s story on Symtio³⁶, but he said they may be only for a store's top 500 books. In the future, one solution might be a machine that prints cards that allow a customer to purchase any title in the store.

"Bundling is a key component of finding a blended world," he said. "You shouldn't have decide, physical or digital." Someone should be able to read a physical book, but also, when it's convenient, be able to continue reading that book in digital form, such as he does on his iPhone, when he is stuck in an airport.

Clancy acknowledged that one of the key components of being a retailer is maintaining a relationship with your customers, and that the sale of digital books presents a number of unique challenges. An indie bookstore that sells an e-reader to a loyal customer may feel that he or she is giving away that customer. But one example of a solution that might work is, if the bookstore that sold the device somehow got credit for future downloads to that device -- that they would be somehow linked.

Clancy also introduced the concept of "cloud sync," which would allow readers to see all of the digital books they've brought from different vendors, including Amazon, B&N, and indie bookstores -- in one place. This would allow them to integrate their online world with their physical world. If they're browsing in a physical store, they would be able to access their entire online library as well as their wish lists.

To the extent that people go digital they buy from one or two providers; however, "serendipitous discovery is really important," Clancy said. "The physical presentation of books is important; people like to buy in the physical world." And, from his recent talks with publishers, he believes that they realize the importance of the continued existence of physical bookstores.

"Google's strength is not in getting someone who wants to spend \$10, to spend \$15," he said. "Retailing is a real skill. Our strength is in building scalable platforms, but a lot of what we've done is try to figure how can they be centered around third party retailers, whether they be online or offline.... I think if we see a significant reduction in the number of physical bookstores because the economics are hard, what you're going to see is a reduction in the number of people buying books."

Though challenges will still exist for indie bookstores, he said, "I think our solution at Google Books helps -- it allows you to market and sell digital books that work on different platforms. I believe strongly in your relationship with your customers. I believe we need a strong eco-system."

In a Q & A session following his presentation, Clancy said that conversations were continuing to find a way to make it easy for consumers to use their Google accounts to log onto other services, for example ABA member websites, where they would then be able to easily download Google Editions.

In response to a question about the availability of Kindle editions being integrated, he said there were really two different questions: To what extent will Amazon allow people to buy their editions elsewhere? And to what extent will Amazon allow people to read other editions on their Kindles?

"I believe, to the extent that other e-readers -- B&N, Sony, and others -- develop a market and are effective, they will open up more."

One question of concern to a number of booksellers was about privacy and censorship.

Google Books privacy policy, which is posted online³⁷, says that Google "will not share with anyone else the information about the books you have bought, unless forced to by law," Clancy said. However, he added, "We've seen an erosion of privacy laws in this country," since the passage of the Patriot Act.

"The challenge of the cloud is that the only way it works is that it remembers the books that you have bought." There's also the question of having the ability to delete a book that you have bought. "You need the ability to delete this book and all records that you have owned that book." Clancy noted that there are other services, such as the ability to annotate books and furthest page read, "that require association with you." These are all questions that we need to be conscious of, he said, adding "The laws may get better, they may get worse."

Google Editions is expected to launch in the middle of this year. "We will have online integration when we launch," said Clancy. Ideally, "by back to school time, we would like to have worked out how to buy books in physical stores, but I don't think we'll have it worked out." -- *Rosemary Hawkins*³⁸

Verso Study Sheds Light on Consumer Book-Buying Preferences

February 11, 2010 -- For 90 minutes on Thursday morning at the Winter Institute, booksellers zeroed in on the provocative aspects of consumer demographics and book-buying preferences offered by Jack McKeown, industry consultant and director of New Business Development for Verso Digital, as he reviewed the results of Verso's recent "Survey of Book Buying Behavior."³⁹

The survey, conducted in November and December of 2009, shed light on the profile and preferences of book buyers, including those whom McKeown characterized as "avid readers," approximately 62 million Americans who are "disproportionably buying books." The survey also offered insights regarding the effectiveness of "offline vs. online bookselling and marketing" and outlined the extent of the market penetration of e-books and e-readers. And, with tongue perhaps firmly in cheek, he kicked off his talk with a quote from William Goldman's *Adventures in the Screen Trade*, "Nobody knows anything."

⁴⁰

At Thursday's breakfast, booksellers heard Jack McKeown present the results of Verso's study of consumer book-buying behavior.

Of those in the U.S. older than 18, avid readers (those who spend five or more hours a week reading) comprise 28 percent of the population. These readers skew older into the Boomer cohort, and 63 percent -- or approximately 39 million -- are female. Importantly, actual book purchase behavior showed a similar pattern in the Verso survey, with avid readers buying 10 or more books a year.

In McKeown's estimation, these numbers raise both an important question and a potential for industry growth. Older Americans represent two-thirds of the country's avid readers, but it is not yet clear whether this was a "function of their cohort" or a result of a change in lifestyle due to aging. While noting that it would take

more study to ascertain whether younger Americans were likely to read and purchase more books as they age, McKeown said that the existing marketing potential to Boomer book buyers "could be an opportunity that is decades long." If avid Boomer readers "bought two more books a year," McKeown said, the result would be \$1 billion "of top line growth."

However, indie booksellers do face challenges in capturing those sales, he noted. From a consumer's perspective, there is a clear gap between book buyers' appraisal of an independent bookstore's attributes and their dollar-and-cents buying decisions. Of those surveyed, 21.5 percent ranked a "local independent bookstore" as their favorite place to shop for books -- essentially equal to that of chain bookstores and online retailers. (And 39 percent said independents were either their first or second choice.) "I call this 'mind share' because it is obviously not what's going on at the cash register," said McKeown, underscoring that the figure outstrips the actual market share of indie booksellers.

Indie booksellers have both opportunities and challenges in closing mind share gap, according to the Verso survey. Regarding the key factors in "driving initial awareness" and selling books, indies scored very highly for both author publicity/in-store events and staff recommendations. "Curation [of titles] is what you already do, and nobody does it better," said McKeown, noting that two other key factors to leverage are community and convenience. However, "price" was deemed "very important" by 45 percent of those surveyed. "Price is an area of great sensitivity [for consumers], and I just put that out there," he said.

Regarding marketing, the survey showed that in the off-line world of retail such traditional tools as publicity, advertising, and in-store promotions were still the most critical components of book sales. Search engine marketing was the most important factor in the online environment -- more so that author sites/blogs, social networks, or online advertising, as of yet. The critical bottom line factors for both off-line and online purchases were author reputation, personal recommendations, and price.

Addressing the nascent market for e-books and e-readers, McKeown offered a slightly less bullish assessment than many. Many of the enthusiastic proponents of the e-market, he said, "think purely in terms of technology and devices and don't think from the perspective of the consumers, who they are and what they want."

Of those surveyed, only 9.8 percent said they were "very likely" to purchase an e-reader within the next six to 12 months, and, McKeown noted, 65 percent of Boomers and "seniors" were not likely to purchase an e-reader. While not discounting the emerging market, he said that demographic and other factors pointed to "a built-in limiting factor" to the growth of the digital market. McKeown said he did not believe the industry was yet near a tipping point for e-reader adoption and that "e-reader penetration could be 12 percent to 15 percent [of the market] within two years."

Regarding the pricing of e-books, 28 percent favored the Amazon.com pricing model of \$9.99, and 28 percent accepted prices ranging between \$10 and \$20. Calling attention to "a point of indifference" borne out in the survey, McKeown said that there was strong evidence that consumers would purchase titles in the \$12.99 to \$14.99 range that was a part of the developing agency plan from some publishers, and a component of Apple's announced online e-book store.

One marketing opportunity highlighted by the survey was the bundling of hardcover and digital editions of a title, with 42 percent

of those surveyed responding that they were either somewhat or very likely to buy a "deluxe" edition of a hardcover if it included an e-book version of the title for "a modest surcharge." McKeown saw the strong potential for "a hybrid market, where avid readers... will move between the 'paper reader' and the e-book reader and make their own decisions." -- *Dan Cullen*⁴¹

E-Fairness Initiatives Grow

February 11, 2010 -- The calls for e-fairness continue to grow throughout the country. Over the past two weeks, Oklahoma and Vermont introduced e-fairness legislation, and it's expected that similar legislation will soon be introduced in Maryland. On Wednesday, proponents of e-fairness legislation in Virginia earned an initial victory when the Senate Finance Committee approved Senate Bill 660, sending it to the Senate floor for a debate and vote. The bill would level the playing field and make sure that out-of-state online retailers collect sales tax for sales to Virginia residents.

"With states facing budget shortfalls and a significant decrease in sales tax revenue, more and more states are looking to pass e-fairness laws," said ABA CEO Oren Teicher. "We need booksellers in the many states where legislation has been introduced to contact their elected officials and demand that they support e-fairness. Moreover, we urge booksellers in other states to use the template letters in our E-Fairness Action Kit⁴² to contact their legislators and ask that they introduce e-fairness legislation in their state."

Colorado

On Monday, February 8, the Colorado Senate amended HB10-1193. In the amended bill, out-of-state online retailers will have a choice of either collecting sales tax or of notifying Colorado purchasers regarding the use tax they owe the state for their online purchases. Under the amended bill, the state is no longer asserting that online affiliates constitute nexus.

"From the beginning, independent booksellers and other in-state Colorado businesses have been fighting to establish that online sales are subject to the same sales and use tax as the sales from bricks-and-mortar stores, and we are pleased that this legislation establishes without question that this is the case," said ABA CEO Oren Teicher. "However, while it is gratifying that the Colorado bill makes clear that we are in no way talking about a new tax, by shifting the responsibility for tax collection away from retailers the state has established a cumbersome collection method. For now, retailers await more information regarding the specifics of implementation and collection. Should the Colorado solution prove an ineffective remedy, we will actively continue the fight for sales tax equity."

Virginia

On Wednesday, February 10, proponents of e-fairness scored an initial victory when the Senate Finance Committee passed Senate Bill 660, important e-fairness legislation that will ensure that out-of-state online retailers with nexus in the state via online affiliates in Virginia collect Virginia sales tax. The bill is currently being heard on the Senate floor. If it passes the Senate, it will move to the House Finance Committee.

Sarah Pishko of Prince Books in Norfolk, Kelly Justice of Fountain Bookstore in Richmond, and Danny Givens of Givens Books and

Little Dickens in Lynchburg testified before the Senate Finance Committee before the vote on the bill.

ABA and the Southern Independent Booksellers Alliance⁴³ (SIBA) are asking booksellers to contact their senator and the members of the State House Finance Committee to urge them to pass this legislation. If this important bill, which is sponsored by Sen. Emmett W. Hanger, Jr. (R-District 24), is signed into law, out-of-state online retailers with nexus in the state via online affiliates in Virginia would be required to collect Virginia sales tax, thereby leveling the playing field for Virginia's bricks-and-mortar businesses. "The bill still faces significant challenges -- opponents of e-fairness have been working overtime to make sure that sales tax equity in Virginia is defeated," said ABA CEO Oren Teicher.

To help booksellers in this important advocacy outreach, ABA has prepared a template letter⁴⁴ that booksellers can adapt and e-mail or fax to their senator⁴⁵ and to the members of the House Finance Committee⁴⁶. (If you are e-mailing your letter, be sure to include your store name and complete address.)

In addition, ABA is asking all Virginia booksellers to please take a moment and adapt the "Thank You" template and send it to Sen. Hanger to let him know they support his legislation.

ABA and SIBA also ask that booksellers notify ABA's Senior Public Policy Analyst David Grogan at dave@bookweb.org⁴⁷ or via telephone at (800) 637-0037, ext. 6662, when they have sent their letter. This will help ABA and SIBA compile information to support this lobbying effort.

Vermont

Last week, Rep. Jeff Wilson (D-4) introduced e-fairness legislation, H-661, in the Vermont House of Representatives. Thanks to the efforts of Vermont booksellers, the House Committee on Ways and Means said that it would consider the legislation. "For the committee to consider Rep. Wilson's bill among the many bills that were introduced in this session was no small feat," said ABA CEO Oren Teicher. "The legislative process offers many obstacles, and each victory is crucial to seeing e-fairness realized in Vermont. It's very important to stay focused on this issue and keep the pressure on."

ABA and the New England Independent Booksellers Association⁴⁸ (NEIBA) are urging booksellers to contact their legislators and call on them in the strongest terms to support this crucial bill. In addition, they are asking booksellers to contact the House Ways and Means committee. To help booksellers in this important advocacy outreach, ABA and NEIBA have prepared a template letter⁴⁹ that booksellers can adapt and e-mail or fax to their legislators and to the following key members of the Vermont House of Representatives and the Committee on Ways and Means (simply click on the names below to access the e-mail address):

- Rep. Shapleigh Smith, Speaker of the House⁵⁰
- Rep. Floyd Nease, House Majority Leader⁵¹
- Rep. Michael Obuchowski, Chair, House Committee on Ways & Means⁵²
- Rep. Janet Ancel, Vice Chair, House Committee on Ways & Means⁵³

This letter can be found in ABA's new E-Fairness Action Kit⁵⁴. (If you are e-mailing your letter, be sure to include your store name and complete address.)

ABA and NEIBA also ask that booksellers notify ABA's Senior Public Policy Analyst David Grogan at dave@bookweb.org⁵⁵ or via telephone at (800) 637-0037, ext. 6662, when they have sent their letter. This will help ABA and SIBA compile information to support this lobbying effort.

New Mexico

House Bill 50, e-fairness legislation that Rep. Eleanor Chavez (D-13) introduced into the New Mexico House of Representatives in early January, was tabled due, in part, to questions over compliance and enforcement. Chavez said she would look to re-introduce the legislation in January 2011 if she is re-elected.

If HB 50 is signed into law, it would require out-of-state online retailers with nexus in the state via online affiliates in New Mexico to collect New Mexico sales tax, thereby leveling the playing field for New Mexico's bricks-and-mortar businesses.

ABA and the Mountains & Plains Independent Booksellers Association⁵⁶ (MPIBA) are calling on booksellers to urge their state senator and representative to consider House Bill 50 in this legislative session. To help booksellers in this important advocacy outreach, ABA and MPIBA have prepared a template letter⁵⁷ that can be adapted and sent to their state senator and representative.⁵⁸ These letters can be found in our E-Fairness Action Kit. (When e-mailing a letter, booksellers should be sure to include their store name and complete address.)

In addition, ABA and MPIBA are asking all New Mexico booksellers to please take a moment and adapt the "Thank You" template⁵⁹ and send it to Rep. Chavez to let her know they support her legislation.

ABA and MPIBA also ask that booksellers notify ABA's Senior Public Policy Analyst David Grogan at dave@bookweb.org⁶⁰ or via telephone at (800) 637-0037, ext. 6662, when they have sent their letter. This will help ABA and MPIBA compile information to support this lobbying effort.

Oklahoma

As of press time, Oklahoma appears to be making progress towards e-fairness. On page 11 of Gov. Brad Henry's proposed FY-2011 Executive Budget⁶¹ is a recommendation that the Oklahoma Tax Commission be allowed to pursue sales tax from remote retailers:

"Currently, out-of-state businesses without a presence in Oklahoma are not collecting sales tax on Internet, telephone, or mail order sales made to Oklahoma, effectively providing them with an advantage over Oklahoma-based operations that do collect the sales tax. This compliance initiative allows the Oklahoma Tax Commission to pursue sales tax collections from the out-of-state companies in question. The Governor's budget includes an increase of \$95 million to the General Revenue Fund in FY-2011 collection of taxes currently due the state on these sales by out-of-state entities."

ABA is seeking more information from the governor's office on this initiative, but Oklahoma booksellers are urged to adapt the template letters in ABA's E-FACT⁶² and ask their state legislators and the governor to support e-fairness.

Catching Up on the E-Book Pricing Debate

February 11, 2010 -- While booksellers were at the Winter Institute

a lot was shaking in the e-book world. With something as elemental as what constitutes a book being debated, it's not surprising that distribution models are also in flux. Amazon.com and Macmillan had their very public negotiations over e-book pricing (which saw Amazon suspend sales of Macmillan titles for a time), and Hachette also announced that they, like Macmillan, would base pricing of e-books on an agency model. Here's a quick recap.

On January 31, Amazon sent out a letter stating that "Macmillan, one of the 'big six' publishers, has clearly communicated to us that, regardless of our viewpoint, they are committed to switching to an agency model and charging \$12.99 to \$14.99 for e-book versions of bestsellers and most hardcover releases." The Amazon letter noted that "ultimately, however, we will have to capitulate and accept Macmillan's terms." "Ultimately" turned out to be about a week; Amazon restored its "buy" buttons for Macmillan titles on February 5.

In the meantime, Macmillan CEO John Sargent wrote to authors and agents about Amazon's letter, and went on to post several updates, including explanations of the publisher's rationale. Retailer-determined pricing of e-books "combined with the traditional business model we were using, was creating a market that we believe was fundamentally unbalanced," he said. About Amazon, Sargent wrote, "Though we do not always agree, I remain full of admiration and respect for them. Both of us look forward to being back in business as usual."

On February 4, Hachette CEO David Young also sent a letter to agents that outlined the publisher's reasons for deciding to use the agency model for e-books, which will allow the publisher to set the price, while the retailer retains a percentage of the sale. "It allows Hachette to make pricing decisions that are rational and reflect the value of our authors' works," he said. "In the long run this will enable Hachette to continue to invest in and nurture authors' careers -- from major blockbusters to new voices. Without this investment in our authors, the diversity of books available to consumers will contract, as will the diversity of retailers, and our literary culture will suffer."

Young said that these terms would "open doors to all online e-book service providers and create more avenues for delivering e-books to readers." Hachette also plans to release HBG e-books simultaneously with the hardcover (or first-format print edition). -- Karen Schechner ⁶³

IndieBound Affiliate Program Offers Live Commission Reports

February 11, 2010 -- IndieBound.org's Affiliate Program ⁶⁴, which has been quickly growing since its inception, now offers live commission reporting for all affiliates.

The main navigation bar on IndieBound.org includes an Affiliate Program drop-down menu, a portal to make changes, get reports, and create links. The menu, which is visible when affiliates are logged onto IndieBound.org, includes these options:

Update Affiliate Info

Here, affiliates may change or update account information, such as website name, description or URL, and all pertinent payment information.

Affiliate Commissions Report

New reports allow users to see affiliate traffic, earnings in commissions, and payment history.

- **Clicks for last 30 days**

See how many clicks that affiliate links have received in the past month. Since Affiliate Reporting went live on February 9, click tracking starts on that day.

- **Commissions since last payment cycle**

This view displays how much affiliates have earned in commissions for each payment cycle, plus a commission amount total. Users will also be alerted here if they are eligible to receive a check at the next payment date. Amounts earned before 1/1/2010 will appear as "Previously Earned."

- **Previous payments**

A report keeps track of all previous payments from the IndieBound Affiliate Program. (Payments issued before 1/1/2010 will not appear here.)

Links and widgets

The Affiliate Program drop-down menu still includes our Book Widget creator and Affiliate Link generator.

The Affiliate Program offers a unique indie bookstore option for authors, publishers, and bloggers who promote sales of books on their websites. The program provides all of the tools needed to easily link to hundreds of independent bookstore websites offering more than 3.5 million titles.

To help booksellers promote the IndieBound.org Affiliate Program, ABA has created a letter in PDF format ⁶⁵, which booksellers can copy and distribute, and the IndieBound.org Affiliate Page ⁶⁶ includes all the necessary links and information to get started. In addition, questions about IndieBound may be addressed to IndieBound Outreach Liaison Paige Poe at paige@bookweb.org ⁶⁷ or (800) 637-0037, ext 6668.

Publishing Execs Talk Technology & More at Wi5

February 11, 2010 --

Moderator Barry Lynn with David Young, Madeline McIntosh, and W. Drake McFeely.

The close focus on technology at last week's Winter Institute ⁶⁸ was clearly highlighted on the opening day. Just 15 minutes after Google's Dan Clancy ⁶⁹ gave booksellers an in-depth update on the Google Editions program, three leading trade publishing senior executives discussed how digitization and technological advances were affecting the book industry.

The 75-minute panel was moderated by Barry Lynn, the author of *Cornered: The New Monopoly Capitalism and the Economics of Destruction* (Wiley), and it featured W. Drake McFeely, president and chair of the board of directors of W.W. Norton & Company; Madeline McIntosh, president of sales, operations, and digital of Random House; and David Young, chairman and CEO of Hachette Book Group.

Coming amidst a steady steam of news reports about the recent introduction of Apple's new iPad and Amazon.com's dispute with Macmillan regarding the pricing of e-books (and the company's decision to suspend sales of any Macmillan titles), the panel was timely, topical, and well attended.

From an author's perspective, Lynn noted that because of

technological advances since the publication of his last book, in 2005, "I spent more time on Google than in the Library of Congress" researching *Cornered*, and that "I ended up writing a better book because of these technologies." For publishers too, the effects of technology were significant, enabling them "to do many things they couldn't do before," noted Young.

All three executives cited a number of important developments -- ranging from print on demand and short-run printing to author-to-reader outreach via author web sites -- that had helped foster a better relationship with authors, improved communications with booksellers, and increased business efficiencies. A key result, said McIntosh, was that publishers could now "bring ideas to market in a much faster way." As Young noted, "This is basically an industry that is an art, but we can add some science."

The intersection of art and science proved an intriguing spot to discuss the evolving roles of publishers and editors, as well as of potential new e-book formats, publication timing, and pricing. McIntosh said that new technologies offered publishers an opportunity "to re-invent ourselves" as editors and to consider such ideas as shorter nonfiction works in digital formats, especially about such topical subjects as the recent earthquake in Haiti.

While noting that he believed there is "nothing better than the printed page at the moment," Young detailed how Hachette was working to include additional content for e-books, including, for example, background information about the setting in the upcoming David Baldacci novel. With a bit of wry humor, he recognized, too, the experimental nature of such early forays into e-books: "Will people find it deeply irritating? I don't know."

For indie booksellers, the topic that cut closest to the bone was the question of the scheduling and pricing of e-books, which, in Young's estimation, "has been a real problem." Regarding the Amazon.com pricing model of \$9.99 for e-books, Young said, "I felt \$9.99 was taking us down a road to doom," potentially creating a new publishing model that "devalues the books and ... the careers of the writers who have created the books." He applauded the new agency model introduced by Macmillan, which allows the publisher to set a firm consumer price and provides a uniform discount across the board to retailers.

Taking care to note that "this is Madeline McIntosh's opinion, which is not necessarily endorsed by my employer," McIntosh questioned whether there was a downside in a publishers' direct involvement in such pricing decisions and if it "would really be to the benefit of either the authors or the consumer" in delaying the publication of a title's digital edition. Bucking the expectations of consumers who want to acquire a digital edition sooner rather than later, she said, might lead to a series of unintended consequences, including purchasing another e-book, buying no book at all, or "downloading the e-book for free," which some attendees took as a gentle euphemism for digital piracy.

Another consequence of the growth of e-books, said McFeely, was Norton's increased emphasis on the publishing aesthetics, including both jackets and interior design, and all three executives underscored their companies' commitment to their core business of selling traditional books. "The majority of books consumers still want to buy are physical books," said McIntosh. -- *Dan Cullen*⁷⁰

Wi5 Panelists Share Practical Ideas for Handselling Online

February 11, 2010 -- Three savvy indie booksellers shared their ideas for using online tools to promote book sales with a packed

house at the Fifth Annual Winter Institute education session "Handselling 201: Using the Digital Age to Your Advantage." Panelists Andrew Getman of Politics & Prose, Kelly Justice of Fountain Bookstore, and Pete Mulvihill of Green Apple Books presented real-life examples of how they have boosted sales via their store websites, in-house videos, Twitter campaigns, e-newsletters, and more. Also part of the panel was a Skype appearance by Justin Cronin, author of *The Passage* (Ballantine).

Whatever medium is used, all of the panelists agreed that the most important message is to convey the personality of your bookstore.

Getman, a bookseller and communications manager at Politics & Prose⁷¹ in Washington, D.C., suggested that booksellers view the store website as a "virtual storefront leading from display window to cash register." His tips for boosting sales included offering unique products online -- event tickets, autographed books -- as well as booksellers' opinions. He also suggested partnering with local schools, museums, and authors who are willing to hyperlink to the store site. Getman also encouraged driving "back or side-door" entrances to the website via Facebook, Yelp, author websites and blogs, and other sites. Getman said that encouraging customer participation by allowing them to post feedback and comments online cultivates community that both translates into sales and visits to the bricks-and-mortar store.

Mulvihill, co-owner and general manager of Green Apple Books⁷² in San Francisco, showed several of the store's videos, which are both hilarious and effective at promoting sales. The videos are easy and cheap to make, he said. Each costs about \$100 and requires about four to eight hours of staff time, usually scheduled during slower hours. While the videos sell books, they also earn co-op (usually about \$200/video plus \$50 newsletter co-op), build the e-newsletter subscriber base, and "define Green Apple in a customer's mind as a fun place to go," he said.

The video for *Little Bee*⁷³ (Chris Cleave, S&S) helped sell about 100 copies of the title throughout the year, and it led to a store visit by Cleave, who linked to the video on his blog. The video for *K Blows Top*⁷⁴ (Peter Carlson, PublicAffairs) helped sell 10 copies of a tough-sell book the month that the video aired, said Mulvihill, and Carlson then wrote something for the store newsletter.

Mulvihill said that the videos draw more viewers when they are embedded on the store website, blog, e-newsletter (with a screen shot), and linked to on Twitter.

"Personality is what we have to differentiate ourselves from the competition," said Fountain Bookstore's⁷⁵ Justice. "The more outrageous, funny, and original we can be the better." Knowing what message to convey is the easy part for Justice. But to navigate the social media platforms, as well as how to best use them, she depends on and highly recommends reading Mashable⁷⁶, the social media guide. "I'm a bookseller. I want to focus on selling books," said Justice. "I'll let experts on social media guide me through the top 10 best ways to tweet. Why reinvent the wheel?"

Fountain Bookstore's new Twitter book club uses the pitch: "Too dang cold to go to book group? Going to be out of town? Live elsewhere? Shy? Join us in our first ever Twitter Book Club. Kelly (@RVABookChik⁷⁷), owner of Fountain (@FountainBkstore⁷⁸), will be our facilitator. The hashtag is #fountainreads⁷⁹."

Justice also provided tips for upping click-throughs for e-newsletters. "The newsletter should tie in to everything else you are doing, and it should look like a website, not a print letter," she said, noting it should have pictures and graphics. "This is my biggest complaint about bookstore newsletters. Way too texty. The

term for that online is TLDR (too long, didn't read). If you want it read, keep it at the top."

Session attendee Katherine Ferguson, manager and children's book buyer at Bunch of Grapes Bookstore ⁸⁰ on Martha's Vineyard, Massachusetts, told *BTW* that she liked that the "Handselling 201" panel focused on the creative possibilities of online handselling. "Booksellers tend to be really creative. Instead of focusing on the doom and gloom, the panel covered how we can explore and learn to do things in a new and creative way. That's exciting stuff."

Ferguson came away from the session pleased to learn that videos were eligible for co-op, and with some good ideas for recreating the Bunch of Grapes e-newsletter. "Kelly from Fountain Bookstore said that we should take advantage of the digital format, and use more links, pictures, and Easter eggs."

Justin Cronin's guest Skype appearance was the "best thing ever," said Ferguson. She thought the web-communication platform would work best with small groups, especially since Skype can sometimes be glitchy. "If you lose the connection, and you've got a small group, it's not disastrous. You can put the author on speaker phone and everyone's still happy."

Overall, Ferguson considered Wi5 invaluable. "The whole idea of taking advantage of what's new and exciting was the most important takeaway." And as an Emerging Leaders scholarship winner, Ferguson declared her love for EL and Unbridled Books, her scholarship sponsor.

Thanks to Wi5 and sessions like the Handselling 201 panel, Carla Jimenez, co-owner of Inkwood Books ⁸¹ in Tampa, Florida, said she felt a surprising excitement about some of the new tech-assisted possibilities. "It just occurred to me that this stuff seems fun now, and I didn't realize I jumped that fence," she said. "I'm excited about doing videos. A lot of what I saw in the session is something that I could do now."

"I also realize that we need to make sure our URL is on our information block on our Facebook page, and that our Facebook page is our website. Everything needs to synch, and we're now optimizing that."

One way to help synch those online platforms was something Stefanie Kiper, events coordinator at Water Street Bookstore ⁸² in Exeter, New Hampshire, picked up during the session. "Hootsuite.com ⁸³ allows you to post stuff to multiple networking sites."

Kiper also said she loved Justice's idea to hold a Twitter book club. "I'm using Twitter, but I don't feel like I'd have the time or creativity to come up with a Twitter book club. But Justice gets it done and she has a small staff, so it was inspiring." -- *Karen Schechner* ⁸⁴

"Handselling 201" and other Wi5 handouts are available for download on the Wi5 program schedule ⁸⁵.

Obituary Note: Fran Howell

February 11, 2010 -- Fran Howell, co-founder of the Raymar Book Company, died on Saturday evening, February 6. He was 85.

In the early 1960s, Howell and the late Stu Woodruff partnered to create Raymar, which would become the premier trade book wholesaler in the West. In 1976, Raymar was acquired by Ingram Book Company and the combined company began its current run as a national and global leader.

Art Carson at Ingram, who with Howell did most of the buying for Raymar, said, "Fran was a great mentor for me, and I will be forever thankful for not only the lessons he taught me about the book industry and how to buy books, but also for the example he set as a kind and compassionate human being. In its day, Raymar set new performance standards in fill-rates, delivery times and customer service that continue at Ingram today."

Howell is survived by his wife, Margaret, and their two children, Chris Justice and Lisa Irvin.

Flowers for the Thursday, February 11, memorial service may be sent to Metcalf Mortuary, 288 West St. George Blvd, St. George, UT 84770. Interment will be Saturday, February 13, at Forest Lawn Memorial Park in Glendale, California.

BTW News Briefs

February 11, 2010 --

Kirkus Reviews to Continue With New Owner

The *New York Times* ⁸⁶ reported on Wednesday that Herb Simon, the owner of the Indiana Pacers basketball team, and chairman emeritus of Simon Property Group, had bought *Kirkus Reviews*. In December, the Nielsen Company had announced that it was closing the magazine. Terms of the deal were not disclosed. Simon appointed Marc Winkelman as chief executive of what will be re-named Kirkus Media," according to the *Times*. Simon and Winkelman, the chief executive of Calendar Holdings, are also co-owners of Tecolote Book Shop, an independent bookstore in Santa Barbara, California.

Winkelman told the *Times* that *Kirkus* would keep its current editorial leadership, including Elaine Szweczyk as editor and Eric Liebetrau as managing editor, and it would continue to be published as a print magazine, although its digital offerings would be expanded.

Online Spending Up in Fourth Quarter of 2009

On Tuesday, comScore Inc. ⁸⁷ released data showing that U.S. spending online in the fourth quarter of 2009 had grown three percent to \$39 billion, according to *Reuters* ⁸⁸. The reversal of four consecutive quarter year-over-year declines was driven by an increase in online buyers, according comScore, although average spending per buyer declined somewhat.

ComScore said that December 15 was the busiest online spending day in history, with \$913 million dollars in transactions.

The company also said that free shipping was a factor in more than 40 percent of online transactions.

Books for a Better Life Awards to Be Presented on February 22

Robin Roberts, co-anchor of ABC News' *Good Morning America*, will host the Books for a Better Life Awards on February 22 in New York City. The awards ceremony, sponsored by the New York City - Southern New York Chapter of the National MS Society, will also honor Carolyn Reidy, president and CEO of Simon & Schuster, and Cami Walker, author of *29 Gifts: How a Month of Giving Can Change Your Life* (Da Capo Lifelong Books).

Awards will be presented to authors who published a self-improvement book in 2009 in each of 10 categories: Childcare/Parenting, First Book, Green, Inspirational Memoir,

Motivational, Psychology, Relationships, Spiritual, Wellness, and Personal Finance. S&S's Reidy will be inducted into the Hall of Fame.

The 14th Annual Books for a Better Life Awards will be held at the Millennium Broadway Hotel in Manhattan. More information is available at www.MSNyc.org⁸⁹.

The Indie Love and Romance Bestseller Lists

February 11, 2010 -- In recognition of Valentine's Day, we present the Indie Love and Romance Bestseller Lists. Based on sales in independent bookstores nationwide for the eight-week period ending February 9, 2010.

Love (Nonfiction)

1.	The Five Love Languages Gary Chapman, Moody, \$14.99, 9781881273158
2.	Act Like a Lady, Think Like a Man Steve Harvey, Amistad, \$23.99, 9780061728976
3.	The Mastery of Love: A Practical Guide to the Art of Relationship Don Miguel Ruiz, Amber-Allen, \$14, 9781878424426
4.	Getting the Love You Want: A Guide for Couples Harville Hendrix, Holt, \$15, 9780805087000
5.	Dear Old Love: Anonymous Notes to Former Crushes, Sweethearts, Husbands, Wives & Ones That Got Away Andy Selsberg (Ed.), Workman, \$9.95, 9780761156055
6.	What French Women Know: About Love, Sex, and Other Matters of the Heart and Mind Debra Ollivier, Putnam, \$24.95, 9780399155628
7.	Men Are From Mars, Women Are From Venus John Gray, Quill, \$14.99, 9780060574215
8.	Us: Americans Talk About Love John Bowe (Ed.), Faber & Faber, \$16, 9780865479296
9.	The Brain in Love: 12 Lessons to Enhance Your Love Life Daniel G. Amen, Three Rivers, \$14, 9780307587893
10.	How to Be an Adult in Relationships: The Five Keys to Mindful Loving David Richo, Shambhala, \$15.95, 9781570628122

Romance (Fiction)

1.	The Time Traveler's Wife Audrey Niffenegger, Harvest, \$14.95, 9780156029438
2.	Knit Two Kate Jacobs, Berkley, \$15, 9780425229927
3.	Outlander Diana Gabaldon, Dell, \$8.99, 9780440212560
4.	Knit the Season Kate Jacobs, Putnam, \$24.95, 9780399156380

5.	The White Queen Philippa Gregory, Touchstone, \$25.99, 9781416563686
6.	The Friday Night Knitting Club Kate Jacobs, Berkley, \$14, 9780425219096
7.	Bed of Roses Nora Roberts, Berkley, \$16, 9780425230077
8.	Divine Misdemeanors Laurell K. Hamilton, Ballantine, \$26, 9780345495969
9.	Dragonfly in Amber Diana Gabaldon, Dell, \$8.99, 9780440215622
10.	Vision in White Nora Roberts, Berkley, \$16, 9780425227510

MARKETPLACE

Classifieds

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6,300 sq. ft., new and used bookstore in historic Tacoma, Washington, neighborhood. Gross: \$200,000.00 per year. Knowledgeable staff; loyal customer base. Great turnkey opportunity in a growing Pacific Northwest region. Asking \$150,000.00. Contact Pat, John, or Sweet Pea. (253) 272-8801.

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BOOKMARKS FOR SALE

YES! Still the best selling bookmarks ever, guaranteed. Our 35th year. www.stampbookmarks.com⁹⁵ or call Fred Colcer at (661) 823-1215.

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72. See <http://www.greenapplebooks.com>
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