**Randy Ingermanson**

**How To Get Published**

Advanced Fiction Writing site

**http://www.advancedfictionwriting.com/articles/how-to-get-published/**

**I hear quite often from aspiring writers** who desperately want to know how to get published. It doesn’t take a magic wand to break into the publishing world but it does take some effort. OK, it takes a whole lot of effort. I’d love to help each one of you in person. However . . . there’s only one of me and there are many of you. Which means I really can’t mentor you all. I’m sure you understand. I do mentor people on occasion, but honestly, neither I nor Tom Clancy nor the pope can help you unless you have done your homework. So first let me sketch out what that homework involves.

**Your Homework:** I believe strongly that you need three basic things in order to get published:

* **Content** — what you have to say
* **Craft** — how well you say it
* **Contacts** — who you know that you can sell it to

When you have excellent content, excellent craft, and excellent contacts, you will radically improve your chances of getting published. Please remember that there are no guarantees in the publishing world. It’s a tough, tough business. But from what I’ve seen over the last couple of decades, content, craft, and connections are the three things that contribute most to success. If you are short in any of these categories, then you need to work on it until you’re excellent. That’s your homework assignment. Simple, no? Well, keep reading . . .

**Content**

**Developing content is easy.** So easy that I never bother to teach it. All you have to do is be a genius with tons of brilliant ideas who reads, reads, reads. Presumably that describes you, approximately, so your next step is to learn the craft of writing. This is less easy, and will take the bulk of your time.

**Craft**

**Becoming a publishable writer** is a multi-year project. When a publisher buys your book, they are risking tens of thousands of dollars that you will at least break even. Would you risk that much money on someone who’d only been writing a few weeks? Neither will an editor.

**Take a minute right now,** please, and read my article [Freshman, Sophomore, Junior, Author!](http://www.advancedfictionwriting.com/articles/freshman/) It will help you figure out where you are in your career. It will also tell you (in very general terms) what you need to do in order to amp up your craft and your contacts. The rest of this page will have more specific info on how to improve, but you first need to see the forest before we start talking about trees.

**Now, if you’ve read the article,** you know where you stand. If you’re a Freshman or Sophomore, you probably need to spend some money on a few books. For some sterling advice on which books to buy, see my page [Books on Writing](http://www.advancedfictionwriting.com/articles/books-on-writing/). I’m sorry, but it really is easier to read a few books on writing than to figure it all out for yourself. Life is too short to painfully discover the secrets of Scenes and Sequels (see Dwight Swain’s book), or using dialogue to advance conflict while revealing your character (see Sol Stein’s book). Buy the ones you need. Read them. Apply them to your writing. And watch your critique group’s eyes get wide over the next year as you slowly develop your skills.

**One thing you’ll need to learn** is how to write a scene. This is so important that I’ve got a page here on my site on [Writing the Perfect Scene](http://www.advancedfictionwriting.com/articles/writing-the-perfect-scene/). I hope you find it helpful. It contains some of the tips I’ve given to a number of writers that have proven especially valuable.

**Let’s say you’re a Sophomore** or Junior or Senior, or even a published novelist. If you’ve got the basics down, I’d like to share with you my own methods for organizing my efforts. I can’t help you be more creative. I’m assuming you already are extraordinarily creative. But maybe you could use a little help in getting it all organized. In that case, let me recommend my [Snowflake Method for designing a novel](http://www.advancedfictionwriting.com/articles/snowflake-method/). I use this set of techniques for my own novels and I’m constantly refining my process.

**Hundreds of thousands of people** have read my Snowflake page over the years. No kidding, hundreds of thousands. People all over the world use the Snowflake Method. You may find that some of my ideas work for you and some don’t. OK, here’s a huge tip — USE THE ONES THAT WORK FOR YOU AND IGNORE THE ONES THAT DON’T. Different people are different. I don’t expect that all my methods will be gold in your grubby paws. But hey — if half my methods work out for you, that’s still an improvement, right? And if you find that it does all miraculously work out and you are suddenly writing better than you ever have before, well . . . be a doll and mention me in the acknowledgments of your Great Lithuanian Novel, OK? I won’t expect any royalties, but a brief mention of my name when you accept your Pulitzer Prize would go a long way to easing my bitterness that you got the prize and I didn’t.

**How to Write a Proposal.** OK, so at some point you’ve got most of the basic craft skills down and you’ve become a Junior or even a Senior. At that point, you need to learn how to write a proposal. There are several books out there. Seems like a new one comes out every year. I’ve read some of these over the years. They were a bit helpful. But truthfully, I’ve never thought much of the sample proposals they showed. I think the proposals I write are better. You may agree or you may disagree, but you can’t argue with the price. Free.

[**Click here for a PDF file**](http://io4nd49qan21hw7it251gfyd.wpengine.netdna-cdn.com/wp-content/uploads/2012/09/O2Proposal.pdf) containing most of the proposal that John Olson and I wrote for our Christy-award-winning novel, **Oxygen**. Be aware that we were targetting this to Christian publishers. If you’re targetting the general market, there are some obvious changes you’ll want to make in your proposal. Also, because our book is actually in print and we don’t want to spoil all the surprises, we have snipped out roughly the second half of the plot synosis. There’s enough to give you the idea of what a proposal should look like. Our editor told us this was a stellar proposal and sailed through committee. Which is kind of the point of a proposal.

**Contacts**

**There are two main ways to contact editors,** if you are part of the Great Unwashed Masses who don’t have an uncle at Random House. You can either meet editors at writers’ conferences, or you can get an agent. One way to meet agents is at writers’ conferences, but you can also just contact them directly (see the usual market guides for contact info), but another way is to get a recommendation from an author who has an agent.

I sometimes recommend an author to agents I know. Please don’t write me asking me to hook you up with an agent, because here is my rule on recommendations: I ONLY recommend authors to an agent if it was my idea. If somebody asks me to set them up with an agent, my answer automatically becomes NO. If you think for five seconds, you’ll see why I have to have a rule like that. Many authors have the same rule.

**Be aware that a bad agent** is worse than none. A bad agent is defined as “one who does not work well with you”. Some agents work great with one author and terribly with another. You do NOT need an agent to sell your first book, but it does help — if you’ve got the right agent. The wrong agent will just slow you down, so don’t be in any big rush. And I believe that agents who charge reading fees are scammers, so I advise you to just skip those kind and deal with the ones who don’t charge.

**How I Broke In To Publishing**

**Let me put in a plug** for writers’ conferences. I spent 8 years polishing my craft and going to a small annual conference in my neighborhood. And selling nothing. I even had an agent, who assured me that it was only a matter of time, yada, yada. Finally, in 1996, after 8 years of misery, I decided to take charge of my career. I decided that I would go to the huge and famous Mount Hermon Christian Writers’ Conference that year and that I would keep going every year until the industry buckled before the extraordinary force of my heartbreaking work of staggering genius, etc., etc. Or until they got sick of me and threw me out.

**That was the right decision.** By then, I had my writing skills down pretty well, but I had no contacts other than my agent. I went in 1996 and it was great. I went again in 1997 and it was better. Later that year, my agent died. I decided not to get another one. I went to Mount Hermon again in 1998, and that year I met an author on the faculty who saw that I had ten years of craft-development under my belt and I had an astoundingly good proposal. So this author wrote me a letter of recommendation to a few publishers to go atop my proposal and . . . one of them bought the book! That was a nonfiction book, but within months, I also sold my first novel, **Transgression,** and my career was launched. The editor for that novel, Chip MacGregor, later quit editing and became a powerhouse agent with the largest Christian literary agency, Alive Communications. He was my agent for several years, until he went back to work in a major publishing house.

**I continue to go** to the [Mount Hermon conference](http://mounthermon.org/event/122) every year. It is the very best Christian writing conference in the country (I may be a little biased here, but everyone agrees it is fabulous). My circle of friends–writers, editors, and agents–continues to expand. And I’ve discovered that this writing game is fun! It’s possible to get published, even if you’re a nobody who knows nobody. I did it, and a number of my friends have done it too. You can, if you’re willing to work hard and work smart.

**Now you may be thinking** that you’ve done everything I suggested and all you need to succeed is for me to mentor you. Oh dear. That may be a problem. Don’t get me wrong. I do mentor a few people. A very few people. Mostly, these are people who are clearly very hard workers, who have good craft, who are TEACHABLE, and most important of all, who are polite. If that describes you, then meet me at the next Mount Hermon conference and let’s talk. Although, if that describes you, and if you actually go to Mount Hermon, you probably won’t need me at all. But I’ll be happy to talk with you anyway. It’s the least I can do. See ya there and let’s celebrate your imminent success!

**Other Matters**

**If you’ve read this far,** then you probably know whether you like my whackball way of looking at the world. If you do, then I invite you to sign up for my **Advanced Fiction Writing E-zine**, a free monthly newsletter on the craft and marketing of fiction. Sign up today and get a free 5-day e-course on **How To Publish A Novel**. There’s a signup form at the upper right corner of this page.

**If you prefer to first read** some back issues of the **Advanced Fiction Writing E-zine**, hop on over to the [e-zine archives](http://www.advancedfictionwriting.com/ezine/) on my **Advanced Fiction Writing**web site dedicated solely to teaching the craft of writing fiction.

**http://www.templetons.com/brad/copyright.html**

**A brief intro to copyright**

- by [Brad Templeton](http://www.templetons.com/brad/)

This document is here because many people read my original article on [copyright myths](http://www.templetons.com/brad/copymyths.html) without knowing very much about what copyright is to begin with. This article is not about to teach you all about copyright, though there are some decent sites out there with lots of details, including:

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* [U.S. Library of Congress](http://lcweb.loc.gov/copyright/) copyright site.
* [Australian Copyright Site.](http://www.austlii.edu.au/au/legis/cth/consol_act/ca1968133/index.html)
* [Canadian Copyright Info](http://cipo.gc.ca/).
* [The Copyright Website](http://www.benedict.com/) by Benedict O' Mahoney, another lawyer I've worked with.

**The Basics**

Copyright law secures for the creator of a creative effort the exclusive right to control who can make copies, or make works derived from the original work. There are a lot of subtleties and international variations but that's the gist of it. If you create something, and it fits the definition of a creative work, you get to control who can make copies of it and how they make copies, with some important exceptions.

You can also sell or licence this right, or, if you do the work for somebody who hired you to do it, they buy this right in advance.

**Creative Work**

The first big issue involves defining what it is to make a creative work. The law requires that it exist in some tangible form -- it can't just be in your head or sailing through the ether, it has to be on disk, paper, carved in stone (sculpture) or the like. It has to be creative (that's a tough one for lawyers to define) and that means it can't just be factual data. But most things you write in English (or C++) are going to be creative works, plus anything you photograph or sculpt or draw or record. (What you say isn't copyrighted until it's put onto tape -- it has to be in tangible form.) Anything you write and post to USENET is almost certainly a creative, copyrightable work. Anything you post-process with a computer (like object code) is a derivative work, still copyrighted.

You can also do creative editing or collecting work. So that while facts can't be copyrighted, clever, creative organization of the facts can be. This is called a compilation copyright and it's somewhat complex.

There are some specific exceptions in some countries. Fonts as printed on paper can't be copyrighted for historical reasons. Nothing done by the U.S. government can be copyrighted inside the USA.

And of course you can't copyright something somebody else did without their permission, or derive your work from their work.

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**Making copies**

In its simplest form making copies is making copies. Computers have added some recent complications, like the temporary copies in packet buffers or on screens, and copies left on backup tape. But you can go pretty far by assuming that just about any computerized operation on a work involves copying it.

And simply, the copyright holder gets to say if you can do this. But that's where it all gets modified by the issues of ...

**Commerce**

Most of copyright has to do with commerce. In fact, one major reason it's there is that most people believe that if you let people have copyrights and make money from them, it strongly encourages the creation and productive exploitation of creative works, which is a good thing in most people's book. Copyright is also about control of one's creations -- particularly in most non-U.S. countries which explicitly recognize "moral copyrights."

But still, commerce is king. So while a copyright holder can stop you from copying something, usually they would much rather find some way to charge you for copying it. So while some worry that copyright can give rather strong powers to the author, the truth is that the market brings it all into balance.

It also means that to be enforced, copyrights have to have some commercial value. Nobody sane is going to file lawsuits over things like ordinary e-mail messages and USENET postings that have minimal commercial value, if any. You should, however, try to comply with the wishes of authors.

You also have to watch it on USENET and the web. These are no longer tiny places. Posting here is honest-to-goodness publication, sometimes to an audience of hundreds of thousands if not millions. You can seriously damage the commercial value of something by giving it free to such a large audience, all with the touch of a button.

**Fair Use / Fair Dealing**

There is a complex doctrine associated with copyright law which allows certain types of copying without permission in areas where it is felt that some more important social principles would be violated otherwise.

The "fair use" doctrine (fair dealing in Canada and some other nations) in its purest form, lets a film critic include a clip from a film in her review to illustrate a point. Since negative critics would never get permission to do this, the fair use exemption exists to stop copyright law from being used to stifle criticism.

This means that if you are doing things like comment on a copyrighted work, making fun of it, teaching about it or researching it, you can make some limited use of the work without permission. For example you can quote excerpts to show how poor the writing quality is. You can teach a course about T.S. Eliot and quote lines from his poems to the class to do so. Some people think fair use is a wholesale licence to copy if you don't charge or if you are in education, but it isn't. If you want to republish other stuff without permission and think you have a fair use defence, you should read the more detailed discussions of the subject you will find through the links above.

Fair Use has also seen some expansion in recent days, to things like time-shifting video recordings, computer backups, space-shifting media files and more.

**To use the net**

There's a pretty simple rule when it comes to the net. If you didn't write it, and you want to reproduce it, ask the creator, or assertain that it meets the complex public domain rules if it's pretty old. Most people don't really need to know much more than this. If you do, check the other documents.

**Some legal basics**

Under the Berne copyright convention, which almost all major nations have signed, every creative work is copyrighted the moment it is fixed in tangible form. No notice is necessary, though it helps legal cases. No registration is necessary, though it's needed later to sue. The copyright lasts until 70 years after the author dies. Facts and ideas can't be copyrighted, only expressions of creative effort.

This page on copyright law is brought to you by the folks at [laws](http://www.laws.com/).com, "a resource for legal information including a new site on [copyright laws](http://copyright.laws.com/)."

**10 Big Myths about copyright explained**

<http://www.templetons.com/brad/copymyths.html>

by [Brad Templeton](http://www.templetons.com/brad/)

Note that this is an essay about copyright *myths*. It assumes you know at least what copyright is -- basically the legal exclusive right of the author of a creative work to control the copying of that work. If you didn't know that, check out my own [brief introduction to copyright](http://www.templetons.com/brad/copyright.html) for more information. **Feel free to link to this document, no need to ask me**. Really, **NO** need to ask.

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1) **"If it doesn't have a copyright notice, it's not copyrighted."**

This was true in the past, but today almost all major nations follow the Berne copyright convention. For example, in the USA, almost everything created privately and originally after April 1, 1989 is copyrighted and protected whether it has a notice or not. The default you should assume for other people's works is that they are copyrighted and may not be copied unless you know otherwise. There are some old works that lost protection without notice, but frankly you should not risk it unless you know for sure.

It is true that a notice strengthens the protection, by warning people, and by allowing one to get more and different damages, but it is not necessary. If it looks copyrighted, you should assume it is. This applies to pictures, too. You may not scan pictures from magazines and post them to the net, and if you come upon something unknown, you shouldn't post that either.

The correct form for a notice is:

"Copyright [dates] by [author/owner]"

You can use C in a circle © instead of "Copyright" but "(C)" has never been given legal force. The phrase "All Rights Reserved" used to be required in some nations but is now not legally needed most places. In some countries it may help preserve some of the "moral rights."

2)**"If I don't charge for it, it's not a violation."**

False. Whether you charge can affect the damages awarded in court, but that's main difference under the law. It's still a violation if you give it away -- and there can still be serious damages if you hurt the commercial value of the property. There is a USA exception for personal copying of music, which is not a violation, though courts seem to have said that doesn't include widescale anonymous personal copying as Napster. If the work has no commercial value, the violation is mostly technical and is unlikely to result in legal action. Fair use determinations (see below) do sometimes depend on the involvement of money.

3)**"If it's posted to Usenet it's in the public domain."**

False. Nothing modern and creative is in the public domain anymore unless the owner explicitly puts it in the public domain(\*). *Explicitly*, as in you have a note from the author/owner saying, "I grant this to the public domain." Those exact words or words very much like them.

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Some argue that posting to Usenet implicitly grants permission to everybody to copy the posting within fairly wide bounds, and others feel that Usenet is an automatic store and forward network where all the thousands of copies made are done at the command (rather than the consent) of the poster. This is a matter of some debate, but even if the former is true (and in this writer's opinion we should all pray it isn't true) it simply would suggest posters are implicitly granting permissions "for the sort of copying one might expect when one posts to Usenet" and in no case is this a placement of material into the public domain. It is important to remember that when it comes to the law, computers **never** make copies, only human beings make copies. Computers are given commands, not permission. Only people can be given permission. Furthermore it is very difficult for an implicit licence to supersede an explicitly stated licence that the copier was aware of.

Note that all this assumes the poster had the right to post the item in the first place. If the poster didn't, then all the copies are pirated, and no implied licence or theoretical reduction of the copyright can take place.

(\*) Copyrights can expire after a long time, putting something into the public domain, and there are some fine points on this issue regarding older copyright law versions. However, none of this applies to material from the modern era, such as net postings.

Note that granting something to the public domain is a complete abandonment of all rights. You can't make something "PD for non-commercial use." If your work is PD, other people can even modify one byte and put their name on it. You might want to look into Creative Commons style licences if you want to grant wide rights.

4)**"My posting was just fair use!"**

See [EFF notes on fair use](http://w2.eff.org/IP/eff_fair_use_faq.php) and links from it for a detailed answer, but bear the following in mind:

The "fair use" exemption to (U.S.) copyright law was created to allow things such as commentary, parody, news reporting, research and education about copyrighted works without the permission of the author. That's vital so that copyright law doesn't block your freedom to express your own works -- only the ability to appropriate **other people's**. Intent, and damage to the commercial value of the work are important considerations. Are you reproducing an article from the *New York Times* because you needed to in order to criticise the quality of the New York Times, or because you couldn't find time to write your own story, or didn't want your readers to have to register at the New York Times web site? The first is probably fair use, the others probably aren't.

Fair use is generally a short excerpt and almost always attributed. (One should not use much more of the work than is needed to make the commentary.) It should not harm the commercial value of the work -- in the sense of people no longer needing to buy it (which is another reason why reproduction of the entire work is a problem.) Famously, copying just 300 words from Gerald Ford's 200,000 word memoir for a magazine article was ruled as not fair use, in spite of it being very newsworthy, because it was the most important 300 words -- why he pardoned Nixon.

Note that most inclusion of text in followups and replies is for commentary, and it doesn't damage the commercial value of the original posting (if it has any) and as such it is almost surely fair use. Fair use isn't an exact doctrine, though. The court decides if the right to comment overrides the copyright on an individual basis in each case. There have been cases that go beyond the bounds of what I say above, but in general they don't apply to the typical net misclaim of fair use.

The "fair use" concept varies from country to country, and has different names (such as "fair dealing" in Canada) and other limitations outside the USA.

Facts and ideas can't be copyrighted, but their expression and structure can. You can always write the facts in your own wordsthough

See the [DMCA alert](http://www.templetons.com/brad/copymyths.html#dmca) for recent changes in the law.

5)**"If you don't defend your copyright you lose it." -- "Somebody has that name copyrighted!"**

False. Copyright is effectively never lost these days, unless explicitly given away. You also can't "copyright a name" or anything short like that, such as almost all titles. You may be thinking of [trade marks](http://www.uspto.gov/), which apply to names, and can be weakened or lost if not defended.

You generally trademark terms by using them to refer to your brand of a generic type of product or service. Like a "Delta" airline. Delta Airlines "owns" that word applied to air travel, even though it is also an ordinary word. Delta Hotels owns it when applied to hotels. (This case is fairly unusual as both are travel companies. Usually the industries are more distinct.) Neither owns the word on its own, only in context, and owning a mark doesn't mean complete control -- see a more detailed treatise on this law for details.

You can't use somebody else's trademark in a way that would steal the value of the mark, or in a way that might make people confuse you with the real owner of the mark, or which might allow you to profit from the mark's good name. For example, if I were giving advice on music videos, I would be very wary of trying to label my works with a name like "mtv." :-) You can use marks to critcise or parody the holder, as long as it's clear you aren't the holder.

6)**"If I make up my own stories, but base them on another work, my new work belongs to me."**

False. U.S. Copyright law is quite explicit that the making of what are called "derivative works" -- works based or derived from another copyrighted work -- is the exclusive province of the owner of the original work. This is true even though the making of these new works is a highly creative process. If you write a story using settings or characters from somebody else's work, you need that author's permission.

Yes, that means almost all "fan fiction" is arguably a copyright violation. If you want to publish a story about Jim Kirk and Mr. Spock, you need Paramount's permission, plain and simple. Now, as it turns out, many, but not all holders of popular copyrights turn a blind eye to "fan fiction" or even subtly encourage it because it helps them. Make no mistake, however, that it is entirely up to them whether to do that.

There is a major exception -- criticism and [parody](http://www.templetons.com/brad/dardar.html). The fair use provision says that if you want to make **fun** of something like *Star Trek*, you don't need their permission to include Mr. Spock. This is not a *loophole*; you can't just take a non-parody and claim it is one on a technicality. The way "fair use" works is you get sued for copyright infringement, and you admit you did copy, but that your copying was a fair use. A subjective judgment on, among other things, your goals, is then made.

However, it's also worth noting that a court has never ruled on this issue, because fan fiction cases always get settled quickly when the defendant is a fan of limited means sued by a powerful publishing company. Some argue that completely non-commercial fan fiction might be declared a fair use if courts get to decide. You can[read more](http://chillingeffects.org/fanfic/faq.cgi)

7)**"They can't get me, defendants in court have powerful rights!"**

Copyright law is mostly civil law. If you violate copyright you would usually get sued, not be charged with a crime. "Innocent until proven guilty" is a principle of criminal law, as is "proof beyond a reasonable doubt." Sorry, but in copyright suits, these don't apply the same way or at all. It's mostly which side and set of evidence the judge or jury accepts or believes more, though the rules vary based on the type of infringement. In civil cases you can even be made to testify against your own interests.

8)**"Oh, so copyright violation isn't a crime or anything?"**

Actually, in the 90s in the USA commercial copyright violation involving more than 10 copies and value over $2500 was made a felony. So watch out. (At least you get the protections of criminal law.) On the other hand, don't think you're going to get people thrown in jail for posting your E-mail. The courts have much better things to do. This is a fairly new, untested statute. In one case an operator of a pirate BBS that didn't charge was acquited because he didn't charge, but congress amended the law to cover that.

9)**"It doesn't hurt anybody -- in fact it's free advertising."**

It's up to the owner to decide if they want the free ads or not. If they want them, they will be sure to contact you. Don't rationalize whether it hurts the owner or not, **ask** them. Usually that's not too hard to do. Time past, ClariNet published the very funny Dave Barry column to a large and appreciative Usenet audience for a fee, but some person didn't ask, and forwarded it to a mailing list, got caught, and the newspaper chain that employs Dave Barry pulled the column from the net, pissing off everybody who enjoyed it. Even if you can't think of how the author or owner gets hurt, think about the fact that piracy on the net hurts everybody who wants a chance to use this wonderful new technology to do more than read other people's flamewars.

10)**"They e-mailed me a copy, so I can post it."**

To have a copy is not to have the copyright. All the E-mail you write is copyrighted. However, E-mail is not, unless previously agreed, secret. So you can certainly **report** on what E-mail you are sent, and reveal what it says. You can even quote parts of it to demonstrate. Frankly, somebody who sues over an ordinary message would almost surely get no damages, because the message has no commercial value, but if you want to stay strictly in the law, you should ask first. On the other hand, don't go nuts if somebody posts E-mail you sent them. If it was an ordinary non-secret personal letter of minimal commercial value with no copyright notice (like 99.9% of all E-mail), you probably won't get any damages if you sue them. Note as well that, the law aside, keeping private correspondence private is a courtesy one should usually honour.

11)**"So I can't ever reproduce anything?"**

Myth #11 (I didn't want to change the now-famous title of this article) is actually one sometimes generated in response to this list of 10 myths. No, copyright isn't an iron-clad lock on what can be published. Indeed, by many arguments, by providing reward to authors, it encourages them to not just allow, but fund the publication and distribution of works so that they reach far more people than they would if they were free or unprotected -- and unpromoted. However, it must be remembered that copyright has two main purposes, namely the protection of the author's right to obtain commercial benefit from valuable work, and more recently the protection of the author's general right to control how a work is used.

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While copyright law makes it technically illegal to reproduce almost any new creative work (other than under fair use) without permission, if the work is unregistered and has no real commercial value, it gets very little protection. The author in this case can sue for an injunction against the publication,**actual** damages from a violation, and possibly court costs. Actual damages means actual money potentially lost by the author due to publication, plus any money gained by the defendant. But if a work has no commercial value, such as a typical E-mail message or conversational USENET posting, the actual damages will be zero. Only the most vindictive (and rich) author would sue when no damages are possible, and the courts don't look kindly on vindictive plaintiffs, unless the defendants are even more vindictive.

The author's right to control what is done with a work, however, has some validity, even if it has no commercial value. If you feel you need to violate a copyright "because you can get away with it because the work has no value" you should ask yourself why you're doing it. In general, respecting the rights of creators to control their creations is a principle many advocate adhering to.

In addition, while quite often people make incorrect claims of "fair use" it is a still valid and important concept necessary to allow the criticism of copyrighted works and their creators through examples. It's also been extended to allow things like home recording of TV shows and moving music from CDs you own to your MP3 player. But please read more about it before you do it.

**In Summary**

* These days, almost all things are copyrighted the moment they are written, and no copyright notice is required.
* Copyright is still violated whether you charged money or not, only damages are affected by that.
* Postings to the net are not granted to the public domain, and don't grant you any permission to do further copying except **perhaps** the sort of copying the poster might have expected in the ordinary flow of the net.
* Fair use is a complex doctrine meant to allow certain valuable social purposes. Ask yourself why you are republishing what you are posting and why you couldn't have just rewritten it in your own words.
* Copyright is not lost because you don't defend it; that's a concept from trademark law. The ownership of names is also from trademark law, so don't say somebody has a name copyrighted.
* Fan fiction and other work derived from copyrighted works is a copyright violation.
* Copyright law is mostly civil law where the special rights of criminal defendants you hear so much about don't apply. Watch out, however, as new laws are moving copyright violation into the criminal realm.
* Don't rationalize that you are helping the copyright holder; often it's not that hard to ask permission.
* Posting E-mail is technically a violation, but revealing facts from E-mail you got isn't, and for almost all typical E-mail, nobody could wring any damages from you for posting it. The law doesn't do much to protect works with no commercial value.

**DMCA Alert!**

Copyright law was recently amended by the [Digital Millennium Copyright Act](http://www.eff.org/issues/dmca) which changed net copyright in many ways. In particular, it put all sorts of legal strength behind copy-protection systems, making programs illegal and reducing the reality of fair use rights.

The DMCA also changed the liability outlook for ISPs in major ways, many of them quite troublesome.

**Linking**

Might it be a violation just to link to a web page? That's not a myth, it's undecided, but I have written some[discussion of linking rights issues](http://www.templetons.com/brad/linkright.html).

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**8 Essential Books About Writing Every Aspiring Writer Must Read**

JUN 16, 2015***by***[**WHYTOREAD**](http://whytoread.com/author/whytoread/)***in***[**NON-FICTION BOOKS**](http://whytoread.com/category/none-fiction/)



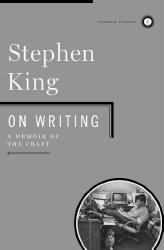
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As a book lover, its inevitable that you will think about and aspire to be a writer. By reading your favorite books, your imagination will wonder and you’ll think about the type of book you want to write. Writing may seem easy at first, but as soon as you sit down to write your first few pages, you realize how difficult of a task it is. Whether you want your first book to be a novel, a [biographical](http://whytoread.com/business-books-biographies-entrepreneur/) piece, or a short non-fiction e-book, its important to read specific literature on writing.

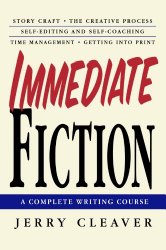
There are specific techniques you need to learn to be a successful writer, and the books on this list are the books which will equip you will all the tools and know-how you will need to being your writing journey. We hope you find these books useful, and your new life as a writer is all you imagined it to be.

8 Essential Books About Writing Every Aspiring Writer Must Read

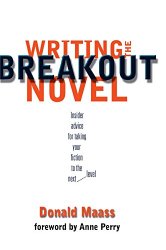
1. [On Writing: A Memoir Of The Craft](http://www.amazon.com/gp/product/1439193630/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=1439193630&linkCode=as2&tag=enginewealth-20&linkId=W725SHCXC6WTKD5V) – [Stephen King](http://whytoread.com/stephen-king-top-stephen-king-books/)

[](http://www.amazon.com/gp/product/1439193630/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=1439193630&linkCode=as2&tag=enginewealth-20&linkId=W725SHCXC6WTKD5V)http://ir-na.amazon-adsystem.com/e/ir?t=enginewealth-20&l=as2&o=1&a=1439193630For the legions of [Stephen King](http://whytoread.com/stephen-king-top-stephen-king-books/) fans out there, the first third of the book containing his short memoir is truly a gift. The second part, [On Writing](http://www.amazon.com/gp/product/1439193630/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=1439193630&linkCode=as2&tag=enginewealth-20&linkId=W725SHCXC6WTKD5V), is where the aspiring novelists will find inspiration. Assuming you’re a serious writer , you’d no doubt would have read the countless manuals on the mechanics of writing.

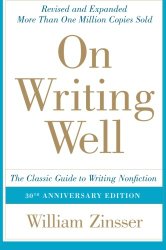
2. [Immediate Fiction: A Complete Writing Course](http://www.amazon.com/gp/product/0312302762/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0312302762&linkCode=as2&tag=enginewealth-20&linkId=YSJ32V6LXHHQYOTN) – [Jerry Cleaver](http://www.amazon.com/Jerry-Cleaver/e/B001IYXK36/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&linkCode=ur2&qid=1434199679&sr=1-1&tag=enginewealth-20&linkId=4YORTERGI5K4KSE3)

[](http://www.amazon.com/gp/product/0312302762/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0312302762&linkCode=as2&tag=enginewealth-20&linkId=YSJ32V6LXHHQYOTN)http://ir-na.amazon-adsystem.com/e/ir?t=enginewealth-20&l=as2&o=1&a=0312302762If you are serious about amounting to anything as a writer, you need to read [Immediate Fiction](http://www.amazon.com/gp/product/0312302762/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0312302762&linkCode=as2&tag=enginewealth-20&linkId=YSJ32V6LXHHQYOTN). The author’s instruction and advice leave no stone un-turned. There is no comparable book out there on this subject.

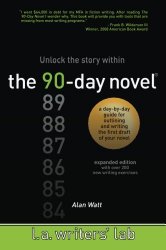
3. [Writing the Breakout Novel](http://www.amazon.com/gp/product/158297182X/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=158297182X&linkCode=as2&tag=enginewealth-20&linkId=GCGUAWC5VDL4XFGY) – [Donald Maass](http://www.amazon.com/Donald-Maass/e/B001JASU0W/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&linkCode=ur2&tag=enginewealth-20&linkId=QUE2YHYYLDPMFZYY)

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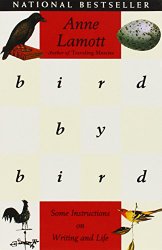
4. [On Writing Well: The Classic Guide to Writing](http://www.amazon.com/gp/product/0060891548/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0060891548&linkCode=as2&tag=enginewealth-20&linkId=YGPRR6OBXSDPC55K) – [William Zinsser](http://www.amazon.com/s/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&field-author=William%20Zinsser&linkCode=ur2&search-alias=books&sort=relevancerank&tag=enginewealth-20&text=William%20Zinsser&linkId=XF6ARSWKG5E6LUFA)

[](http://www.amazon.com/gp/product/0060891548/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0060891548&linkCode=as2&tag=enginewealth-20&linkId=TTOC36KH5HNXD7NP)http://ir-na.amazon-adsystem.com/e/ir?t=enginewealth-20&l=as2&o=1&a=0060891548This is not a technical book that will lay out how to write. It’s a collection of well written essays about different factors that will help you write better. This book is fantastic in its coaching, mentoring, and its own exemplary writing.

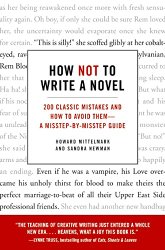
5. [The 90-Day Novel: Unlock the story within](http://www.amazon.com/gp/product/0983141207/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0983141207&linkCode=as2&tag=enginewealth-20&linkId=RPZX5BWWY4VW3ZGP) – [Alan Watt](http://www.amazon.com/Alan-Watt/e/B001HP91KW/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&linkCode=ur2&qid=1434200276&sr=8-1&tag=enginewealth-20&linkId=DLS6JIAUVKLXDATI)

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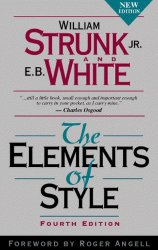
6. [Bird by Bird](http://www.amazon.com/gp/product/0385480016/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0385480016&linkCode=as2&tag=enginewealth-20&linkId=MKOLO2B2IQMBHTQR) – [Anne Lamott](http://www.amazon.com/Anne-Lamott/e/B0034PEWO8/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&linkCode=ur2&qid=1434200493&sr=8-1&tag=enginewealth-20&linkId=RCNTUIAD6MQIWRAZ)

[](http://www.amazon.com/gp/product/0385480016/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0385480016&linkCode=as2&tag=enginewealth-20&linkId=MKOLO2B2IQMBHTQR)http://ir-na.amazon-adsystem.com/e/ir?t=enginewealth-20&l=as2&o=1&a=0385480016Though aimed at writers, this book is full of sage advice and razor-edged honesty for the average joe. If you’re a writer it’s more than a few anecdotes and good advice; it’s a lifeline. Of course it is about writing, but it is also about any kind of long-term endeavor that is challenging, that creates self-doubt, and that is a channel for self expression and self actualization.

7. [How Not to Write a Novel](http://www.amazon.com/gp/product/0061357952/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0061357952&linkCode=as2&tag=enginewealth-20&linkId=2CQ3PIKT2SR5PL5G) – [Howard Mittelmark](http://www.amazon.com/Howard-Mittelmark/e/B001IZTAX4/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&linkCode=ur2&tag=enginewealth-20&linkId=23OFMXCEEOFDUKAP), [Sandra Newman](http://www.amazon.com/Sandra-Newman/e/B001JSFEHQ/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&linkCode=ur2&tag=enginewealth-20&linkId=IKX466JKIVN7GDPI)

[](http://www.amazon.com/gp/product/0061357952/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=0061357952&linkCode=as2&tag=enginewealth-20&linkId=2CQ3PIKT2SR5PL5G)http://ir-na.amazon-adsystem.com/e/ir?t=enginewealth-20&l=as2&o=1&a=0061357952This book offers a very large selection of things to avoid when writing your novel which is in many ways more helpful than all the books that tell you what to do. Most authors don’t want to feel like they are writing to template and the writing process is different for each individual person, but it is also good to know what to avoid, what tends to make a novel unsuccessful. There is advice on many different aspects of writing a novel from plotting to writing to characters.

8. [The Elements of Style](http://www.amazon.com/gp/product/020530902X/ref=as_li_tl?ie=UTF8&camp=1789&creative=390957&creativeASIN=020530902X&linkCode=as2&tag=enginewealth-20&linkId=M2RDFTUEU4EU3FNL) – [William Strunk Jr.](http://www.amazon.com/s/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&field-author=William%20Strunk%20Jr.&linkCode=ur2&search-alias=books&sort=relevancerank&tag=enginewealth-20&text=William%20Strunk%20Jr.&linkId=KPULV3TYGAKWT7UH),[E. B. White](http://www.amazon.com/s/ref=as_li_ss_tl?_encoding=UTF8&camp=1789&creative=390957&field-author=E.%20B.%20White&linkCode=ur2&search-alias=books&sort=relevancerank&tag=enginewealth-20&text=E.%20B.%20White&linkId=LEAESFUTZZPDQ4WT)

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*Becoming a Writer* by Dorothea Brande

Recommended by some of the best in the biz, including Man Booker Prize–winning author Hilary Mantel, Dorothea Brande’s 1930s meditation on the process of creative writing delves into what it takes to become a writer from the inside out. Neither a technical manual nor a reference book,*Becoming a Writer* is more aptly a friendly but blunt guide, alongside which beginners can explore the art of authorship, the discipline necessary to achieve a finished work, and the false belief that writers are born and not made.

*Edgar Allan Poe: Complete Tales & Poems* by Edgar Allan Poe

Though widely lauded as the inventor of the modern detective story, Edgar Allan Poe is also credited as being the first great American literary critic. This long-celebrated anthology offers up evidence of both, presenting aspiring writers with the opportunity to dissect the master craftsman’s essays on good writing and the “unity of effect” before devouring the very tales that brought his theories to life and bricked in (“Cask of Amontillado” anyone?) his place in literary history forever.

*On Writing: A Memoir of the Craft* by Stephen King

If you’re an aspiring writer looking for an inspiring success story, some sort of experiential solidarity with one of the most bestselling authors of all time, and a handy textbook full of useful advice, Stephen King’s part-master-class, part- memoir is it. Readers not only get insight into how the famous storyteller became a writer and hurdled massive life challenges; they get a handy collection of tried-and-tested tips, from philosophical musings (The magic is in you) to grammatical lessons (Don’t use passive voice) to plot pointers (Leave out the boring parts and kill your darlings).

*As I Lay Dying* by William Faulkner

One of the most important things to keep in mind as an aspiring writer is that, in fact, there’s no right way to write a story. A point that’s wonderfully illustrated by the great William Faulkner and his seminal work, *As I Lay Dying* . The celebrated novelist broke with convention to tell the tale of a poor Southern family’s quest to bury their matriarch, Addie Bundren, in the town of Jefferson through not one, not two, but fifteen different narrators. Faulkner brazenly pairs this technique with what was at the time a seldom-used narrative device called stream of consciousness writing. The result was a risky, out-on-a-limb work that, along with his other publications, would eventually earn him the Nobel Prize in Literature.

*Oryx and Crake* by Margaret Atwood

As one character so wisely tells another in Japanese sensation Haruki Murakami’s *1Q84,*