

## Types of Copyrights: what you need to know

by Chazda Albright -

<http://greatstorybook.com/copyrights-what-to-know/>

This entry is part 2 of 7 in the series [Writing Terms](#)

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No matter whether you choose to deal with a publishing house, a small press or a private person who wants to champion your work (or partner on a project with you), you will encounter certain Copyright Terms. It's important that you know what these terms are, and what these various copyrights really mean for you.

Let's talk contract. Don't worry, penguins are cute.

### All Rights

This is an outright purchase of your work. With this type of deal you sell your work only once, forever. The only thing you retain with All Rights is the writing credit.

You might want to avoid granting a publisher All Rights to your work, because if you do, you can never touch it again (no anthology inclusions, no spin-offs or sequel stories, etc.). If you want to ever use those *characters* or that *universe* you've created again (in any manner), you would first need to *purchase the rights back* from the publisher.

That's a pretty raw deal. If you generally like the publisher and want to work with them, offer them a counter deal. (See the full listing below for alternatives.)

It's important to know too that the Owner of All Rights (be it a publishing house or anyone else) is free to reprint your story without paying you a cent. In other words, you get nothing for the second edition (or

anything else). They can also resell your story elsewhere (to another publisher, a film agency, a game company, etc.) without paying you.

In fact, they don't even need to keep you in the loop about it. You might just walk down the street and discover your story has been purchased by a different publisher and see it in a shop window. You still getting writing credit, but you'll never see any money from it.

This actually happened to two friends of mine! So if you do decide to accept an All Rights deal, be sure you really don't care about the money or about the content you've created (which, let's face it - not likely).

When you trade for All Rights, you are removed from any future deals regarding that work. Much like in selling a work of art outright.

## **Electronic Rights**

This is the right to publish electronic versions of your work, *but that doesn't just mean e-books*. This can also include CD-ROM editions – essentially, any kind of electronic version.

[The Authors Guild](#) vehemently argues (correctly) that writers should be compensated for the electronic reproduction of their work, as with any other type of edition. In other words, creators should be compensated for every copy of their work, regardless of the media.

If you just want ebook sales to be considered, see Internet Rights.

The laws on this are currently too unspecific. Before you sign any Agreement, make sure that the Terms in it are extremely well defined.

## **Exclusive Rights**

The right to publish your work exclusively – in other words, it cannot appear anywhere else on the market at the same time. Most often, publishers want exclusive rights for a specific length of time. If your work is being published in a magazine, they might only want exclusivity for a month or two. A larger publishing deal might mean you can't do anything with the story for a year.

If the compensation is fair to you, this is absolutely reasonable. Once that exclusivity period has ended, you can do whatever you want with the story.

I don't think that's her hat. Painting by Luigi Crosio.

## **First North American Serial Rights (FNASR)**

This is the right to be the first publisher of your work, in North America. This means you can immediately or even simultaneously publish your work elsewhere, so long as it's outside of North America.

If you are offered a publishing deal with a small publisher located in Minnesota and they want All Rights, pitch them a counter-offer of FNASR. This is a very reasonable deal for them, because your promoting the same title internationally and through another publisher will only help them make more sales. At the same time, it keeps ownership of the story in your hands. You control the deal.

## **First Serial Rights**

This is just the right to be the *first* publisher of your work, worldwide. After the work is published once, all rights revert back to you.

## **Internet Rights**

This isn't just about Internet, really, because it includes the right to publish your work even via email. For example, your story might be a downloadable pdf that is distributed via an email newsletter. This is a type of publication; make no mistake.

Unlike electronic rights, Internet Rights do not grant the right to reproduce or distribute your story on CD-ROM or any other electronic device.

## **Reprint Rights**

Reprint rights come into play when the first rights have already been sold. This is your second or third (or whatever!) reprint. It's good for you.

Note: If your first edition involved All Rights, you will have *nothing* to do with this deal. It will go down between your first publisher and someone else.

## **Subsidiary Rights**

These are the rights that involve your story when it is not on paper (not in a paperback or hardback). This includes film, foreign (technically on paper, but it's considered subsidiary), audio, and (this should but doesn't always include) electronic rights.

Subsidiary Rights also involves special reprint editions (magazines, anthologies, textbooks, awesome book club editions, etc.).

## **Worldwide Rights**

This is simply the right to publish English-language versions of your book worldwide. The specifics beyond that can vary widely. This usually only applies when you're dealing with a very large, international publishing conglomerate.

A Pastiche of two classic paintings by DO11.10, a Wikipedian.

<http://en.wikipedia.org/wiki/User:DO11.10>

## Solid Resources

<http://www.authorsguild.org/> You don't have to be a card-carrying member, but you should at least keep up with what they are doing.

<http://www.copyright.gov/> The basics, even if you aren't American.

There are a lot of really good books on the market about how to be your own agent and how to understand legalese as a creative. There are a lot of ways to tackle this, but if you know the basics and are careful about reading the contract, you'll be fine.

Here are some really good guides:

[The Writer's Legal Companion: The Complete Handbook For The Working Writer, Third Edition](#)

[The Writer's Legal Guide: An Authors Guild Desk Reference](#)

[Negotiating a Book Contract: A Guide for Authors, Agents and Lawyers](#)

Some will argue that you should never make a deal without an agent. I agree with this IF you are considering a deal with a major conglomerate, but if you're dealing with a small publisher or a press, just handle it yourself. With a small deal, there very often isn't any kind of money to share with the agent anyway.

AND REMEMBER: it isn't as if you only have one book in you. EVEN if you get burned, you can just write something else (and be sure to work with someone else). It is really awful when a writer gets taken for a ride – but what's worse is when they let that experience bother them so much that they never write anything else except hate mail and warnings to fellow writers.

I've seen this firsthand, where a writer could do nothing else for six full years. I only knew him as an Internet connection, but in the end we disconnected – I just found his negativity overwhelming and I was tired of his ranting. Six years. He could have written a series of novels in that time, but he didn't. He just stayed angry and it paralyzed him. Move on and up. Bad people are everywhere. If nothing else, write a book about that.

Always keep going. Keep writing, and keep learning how to do it better.

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