

A WRITER'S BILL OF RIGHTS FOR THE DIGITAL AGE

THE WRITERS' UNION OF CANADA, 2011



What do we, as book writers, want for ourselves in the digital age?

Having asked this question of dozens of book authors and other writers,

The Writers' Union of Canada presents the following twelve rights for Canadian authors. They are not written in stone. The publishing and digital landscapes are changing too quickly for that. Our goal is to encourage thought and discussion and to encourage action that respects writers' rights. Next year our statement may look different. For now the question is, What are our core demands and principles with respect to our rights in the digital age? Here is what we propose.

TO RESPECT THE RIGHTS OF THE CREATORS OF LITERARY WORKS IN CANADA:

- 1.** Copyright legislation shall ensure the protection of intellectual property and appropriate compensation for rightsholders.
- 2.** Exceptions to copyright shall be minimized.
- 3.** The publisher shall split the net proceeds of ebook sales equally with the author.
- 4.** The author shall retain all electronic rights not specifically granted to the publisher or producer and shall have approval of any modifications made to the work.
- 5.** The publisher shall not exercise or sublicense ebook publishing rights without the express authorization of the author.
- 6.** When a book is out of print in print form, continuing sales in electronic form shall not prevent a rights reversion to the author.
- 7.** For ebooks, the publisher in its contract shall replace the traditional "out of print" clause that triggers a rights reversion with a sales volume clause (e.g., less than a specified quantity of ebooks sold in a specified number of royalty periods) and/or a finite term of license (e.g., five years).
- 8.** When rights revert, the publisher shall provide the author with the digital file of the book.
- 9.** The Public Lending Right Commission shall provide author payments for electronic books and allot additional monies to this end.
- 10.** Libraries shall acquire digital copies of works in their collections only from rightsholders or their licensing agencies.
- 11.** Ebook retailers shall require the rightsholder's permission for any free preview or download of an electronic work, and the rightsholder shall specify the maximum amount to be made available.
- 12.** Agents, publishers, aggregators, retailers, and libraries shall ensure that works in digital form will be well protected and will not be shared, traded, or sold outside the boundaries authorized by the contract.