Good morning everyone,

Today we are generally going we are going to talk about motivation and a few more organizations that deal with piracy (for and against).

Earlier in the class we spoke about reasons people pirate. I wanted to revisit that a bit since in our next lesson we will be talking about what kind of plan you need to have to fight piracy. Some people will say it doesn't matter why people pirate it is wrong and that's that. True enough. But it is also important because based on your pricing decisions, distribution decisions, and some of these factors you might be making your problem worse when it doesn't need to be. This list has been compiled from pirate organizations and forums from actual pirates.

For romance, erotica in particular, many people claim they pirate to keep their anonymity. Since pirating does not require more than a functioning computer and doesn't normally give up more than an IP address this is a valid concern you can't do a thing about. Other than toning down racy covers and using titles that don't make the genre obvious there isn't much you can do. However, the whole point of branding and marketing is to have your covers represent the genre of the work and have a title that leaves little doubt to the content. That was meant to be sarcasm, of course you can't fix this.

As we have discussed many pirates believe that if it is on the internet it is free, too bad for the creator. Many of these folks don't believe in any law concerning copyright and feel that all information should be free to all people. You are not going to be able to make any progress with these folks. I have yet to hear a pirate confession saying how they decided to give up pirating because the author wrote a long heartfelt plea on their social media for them to stop pirating.

In my opinion, what should be taken from this is that you can come out against piracy but wasting your time on social media talking about how often you are pirated. It isn't going to help stop the problem. It may encourage other authors to become more involved and it may help increase reader awareness and decrease the number of legal readers that were unknowingly pirating your book. All of which are great, but know what you are fishing for if you are talking about piracy on your social media and have a clear goal. Your goal should not be to stop getting pirated by talking about it on social media, it should be to raise awareness. In my opinion that

means tailoring posts to sound like public service announcements not chastisements. Also, again, these have not shown to be effective in anyway, if anything, they tend to produce an increase in piracy rates because you have highlighted how easy it is to find your work online for free. How you chose to run your business is strictly up to you. My goal in mentioning this is that you don't waste your time on posts geared toward reforming actual pirates through these type of posts, my only concern is the return you get on the time you put into your piracy fight. From what I have seen there are better ways to spend your time.

Another reason pirates pirate is that they may not be able to get your book at all depending on location, in the format they need for their reader, or may not be able to get paper books at all. Remember, many large vendors don't sell to parts of Asia, Africa, and the Middle East. In the increasing economic wars between countries, that vague term sanction may mean it is cheaper for a vendor to simply not offer items at all to a particular country. If you want to make sure your books are available there legally talk to different vendors and see what they offer. Ask on your web forums or social media pages where your international readers are and ask how hard it was for them to find and get your book. If it is difficult it might be worth investigating finding a vendor that does offer things legally in that region.

On the digital front the same applies. However, even here in the states you may hit the format problem, most libraries have systems they use to lend ebooks, like Overdrive. If your book is not in a format that works on overdrive it may be the only reader someone has on their phone or that they can check out from the library if they can't afford one (for instance). They may not be meaning to pirate but simply be looking for a format that works with that reader. What you can do here is have your book in as many formats as you are comfortable with and make an effort to solicit feedback from readers as to what formats they prefer. You can also work with library systems to see which readers/player software they use and try to learn how to get your book into those channels. Our local major library system acquisition representatives have gone so far as to come and speak at local events and conferences to help authors get their books into local libraries here in Seattle. A phone call to your local library administration hub may be all it will take for you as well.

Pricing is another major reason pirates claim they were "driven" to pirate. Which we all know is not exactly accurate and holds no water with most people. However, if you have an ebook that is priced significantly above the average price point with most retailers you may find more pirating is going on. I have seen this come up where it is appropriate to ask authors to adjust their pricing when authors are pricing books for sale in other countries (wide distro through services like Draft2Digital, for instance) without checking what the average cost for that type of book in that country. If you are going to go wide with your distribution, specifically international distribution, call your distributor and ask if they have anyone who can tell you what those average genre prices are in other countries are.

For Draft2Digital it is Dan Wood and his group of folks. He has spoken at a conference one of our local chapter holds the last few years and is an excellent source of this type of information. IngramSpark also has some folks that specialize in international pricing. I have been told all the major indie carriers that sell internationally have specialists in this but I don't know for sure. So you don't have to lower your prices for the sake of not getting pirated, just make sure you are in the ball park of what people expect to pay in various countries. It varies widely.

You might watch your print versus ebook pricing as well. A popular YouTube Vlogger with around 300,000 followers polled her viewers and social media followers to see how they felt about piracy and formats. Once she compiled all her information it showed that only 64% of Americans feel that an ebook is worth spending money on versus 89% that feel print books should be paid for. While her methods might not have been scientific that seems to be on par with other more industry related stats. With stats like that all I would recommend is that your ebooks are not substantially *more* than your print books. However, that is all up to you. Pirates are always going to claim your books are too expensive no matter what so that argument has always seemed empty and a bit foolish to me. However, I have heard authors give the reasoning that instant access should cost more than a print version, various sources say the public does not agree in general.

Another argument I have seen on various forums is that readers weren't happy with the vendors they were asked to go with. The specific example was a woman who was not happy to have to go to Smashwords to purchase a book. Another example was a woman who was not pleased to have

to go to the author's website to buy a special edition hard cover. There arguments are out there (IMHO) but after reading several of them the only legitimate point of view I found was if pirates are looking for a book and it was only on one site, normally a small publishing house or author's personal store, they are more likely to share it after an initial purchase where they were actively spammed by the publishing house or author after. From then on, they purchased pirate copies to avoid the marketing and info sharing from the small house or so they would not be added to the author's mailing list without asking to be. While I don't support this, I can understand.

As the market progresses and more and more small presses fold I don't see this being a major problem in the coming years. I see the major vendors staying the major vendors and the smaller ones getting swallowed up eventually. I did not find the argument of purchasing specialty items from an author's site directly particularly compelling, but I can understand someone not wanting to fork over a credit card number to an individual's site as well. However, Paypal, Zelle, Bluebird and sites and prepaid cards like that invalidate that argument completely.

So my recommendation on this point is try to have your books someplace you are comfortable referring people to and if someone gives you feedback that they aren't comfortable purchasing there, ask why, and see if maybe you need to extend your distribution a little. If you are selling things on your personal site, I would make sure people have the option to use PayPal or another service of that nature that masks their credit card numbers.

One of the biggest arguments I see is that something is not available yet and it should be. The pirate is tired of waiting. In today's market readers seem to expect books far more often and these days many authors can and do write that quickly. Currently, the two biggest windows for pirating a book are estimated to be the two months prior to release and the two months after release. Some of the biggest pirates out there claim to be bloggers and reviewers so many books are pirated after they have been submitted for reviews. Be very careful who you give your books to. PDFs are the most internet ready format (therefore the most pirated) so at a minimum if you are going to share your book make it a proprietary format of some kind if you can. I have seen many authors watermark books with a REVIEW COPY ONLY ILLEGAL FOR DISTRIBUTION statement across the pages. It can be removed but it takes a little effort. It does

tip the reviewer that the author is aware of the issue. The point being watch who you give your books to and if you do pre-orders don't miss them.

Per Wikipedia: *In a study published in the Journal of Behavioural and Experimental Economics, and reported on in early May 2014, researchers from the University of Portsmouth in the UK discussed findings from examining the illegal downloading behavior of 6,000 Finnish people, aged seven to 84. The list of reasons for downloading given by the study respondents included money saving; the ability to access material not on general release, or before it was released; and assisting artists to avoid involvement with record companies and movie studio.*

That last bit about helping artists avoid involvement with record companies may sound a bit odd but that is a legitimate thing. Even here in the States sometimes bands that are not happy with "hidden" terms in their contracts will encourage fans to pirate their music. Several heavy metal and hair bands in the late eighties and early nineties did this due to unpaid escalator clauses in their contracts. Megadeath, Alice Cooper, Alice in Chains, and Nine Inch Nails all are rumored to have resorted to encouraging fans to pirate, not legally purchase, their music on occasion.

There are a few outlier ideas on piracy that I want to share tonight as well. Bill Gates for instance, has no problem with people pirating Microsoft software as long as they pirate it from Microsoft. At a talk at the University of Washington here in Seattle in 1998 Gates said it was a means to an end, and that people would eventually pay for it, "out of familiarity, as a country's economy develops and legitimate products become more affordable to businesses and consumers". That was in 1998, that is still Microsoft's policy, and I can't find a single bit of evidence either way to show if he was right.

I said I would share some organizations for and against piracy. I included the organizations for digital freedom because they are the ones I see over and over in articles and online trumpeting how all creatives are trying to stifle art, music, and literature as we know it for personal gain. Close to 90% of the articles on the internet you will see now and likely in the near future will come from these organizations so I felt it was important to show what each of them is really about.

Pro-Digital Freedom Groups:

Free Software Foundation (FSF) https://www.fsf.org/ – They claim they are a charity giving equal rights to all programs to be used by all users and that they defend the fights of all software users.

Electronic Frontier Foundation (EFF) https://www.eff.org/ – EFF claims they are the leading non-profit defending digital piracy, free speech, and innovation. I keep seeing that word innovation on these sites. As a wonderful actor once said, I don't think that word means what they think it means. EFF does have some interesting things they dig up but they are awash with conspiracy theories and things that are a bit out there but I am not one to judge. Check them out for yourself.

Creative Commons (CC) https://creativecommons.org/ is a bit less dodgy organization in my opinion. They share art and music openly for use in remix and derivative work. They seem to be open to removing anything that is a case of infringement from what I can tell. They claim to help authors "keep and manage their copyright on terms they choose". I have no criticism for this site. They seem to be making a legitimate effort to share information and hold to the law. They center a lot on public domain work. Here is a really good article that talks about public domain if you aren't sure what that might have to do with you. https://creativecommons.org/2018/01/15/5-awesome-organisations-working-protect-expand-public-domain/

Demand Progress https://demandprogress.org/ is another site that has a pro-piracy platform. It is a paid site for lobbyists that generally like to cause issues on Capitol Hill so as silly as this sounds I wasn't impressed with these folks. The first sites may have seemed a bit off the deep end but at least their heart was in it. This one seems like it would sway to the highest bidder. It is very clear it is a "fiscally-sponsored project".

Fight for the Future https://www.fightforthefuture.org/ claims there are trying "to use the power of the internet for good". This site is different in that it is organized and has a clear mission. There aren't any conspiracy theories just people who want things free on the net. I can actually see both sides of some of their articles. They are far more intellectually motivated than most of the other sites and their articles are mostly well thought out and make sense. I just don't happen

to agree with most of them, nor do I suspect will most content creators who seek payment for their work.

United States Pirate Party https://blog.pirate-party.us/ is a group that have formed as a national political party and their site currently says they have eight member-state parties at this time. They claim the following: We support and work toward reformation of intellectual property (IP) laws, true governmental transparency, and protection of privacy and civil liberties. We strive for evidence-based policies and egalitarianism, while working against corporate personhood and welfare. The USPP would like to limit all copyright to five years, make sure all commercial copying is free and legal, and ban DRM software. They claim "There is no reason for copyright to continue 70 years after death". They also wish to abolish all patent law.

OK, on to the ones we are a bit more concerned about. All of the following organizations have anti-piracy platforms and resources.

The United States Copyright Office https://www.copyright.gov/

The Copyright Alliance – http://copyrightalliance.org/

World Intellectual Property Organization – http://www.wipo.int/portal/en/index.html

Association For the Protection of Internet Copyright – http://www.a-w.org/

Recording Industry Association of America – https://www.riaa.com/

Business Software Alliance – http://www.bsa.org/?sc_lang=en-US

International Intellectual Property Alliance – http://iipawebsite.com/

Federation Against Software Theft – https://www.fast.org/

There are groups floating around out there for authors like Pens Against Piracy, a LinkedIn Group – https://www.linkedin.com/pulse/pens-against-piracy-mady-joshi Facebook had some groups as well but mostly only individuals being vocal. I saw someone who had started a petition at change.org to get Amazon to stop taking returns on partially read ebooks claiming that was a

form of piracy but she only had a few hundred signatures. My opinion on that is there is no organization that is specifically standing up for authors on the point of ebook piracy. RWA had a piracy tab on the main website this past year but it has disappeared a few months ago.

One last thing before we go, all over the internet you will hear people from Neil Gaiman (I love his work BTW, this is not a criticism) to Bill O'Reilly talking about how piracy is a marketing tool and everyone should just not worry about it. I have not found a single study, organization, or other legitimate entity that substantiates this in any way.

I have only come across a single lead in why American business and political authors in particular seem to be so vocal about this. At the Harvard Business School in 2012 a book was published called The Pirate Organization: Lessons from the Fringes of Capitalism by Rodolphe Durand and Jeam-Phillipe Vergne. The main description of the book reads: "Through a rigorous yet engaging analysis of the history and golden ages of piracy, the authors show how pirates form complex and sophisticated organizations that change the course of capitalism." The book is sold through the Harvard book store and was required reading for a time for some students. There are other books along this line as well but none show actual studies of it being beneficial to anyone who was the victim of the pirate organizations. I would give a more detailed description of the book but I refuse to pay twenty-two dollars plus shipping and I refuse to pirate it.

Our next and final lesson will come Wednesday and we will have the rest of the week for questions.

Warm Regards,

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