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Q: : I've sold first rights to an article in 1999, and it's still not been published. When I last spoke with the company's new editor in 2001, he said he might never publish it. How can I exercise my reprint rights?

If you have a written contract, check if it includes a clause about rights reversion, or if there was a maximum time specified during which the article was to be published. If not, Carol Busby, a contract advisor & grievance officer with the National Writer's Union, suggests that you contact the magazine about your article. Send the publisher a letter explaining that you sold specific rights (i.e., North American serial rights, if that's the case) to them in 1999 and understand from their current editor that they do not plan to publish the piece. Then say that your letter serves as notification that you plan to publish the article elsewhere and that you will consider rights reverted, unless you hear from them within two weeks regarding publication plans.

Ms. Busby suggests that authors submitting work for publication get a contract or letter of agreement specifying payment (either a full fee up front, or that you will be paid a kill fee if the article is not used) and a date by which the piece would be published. Make sure to state that if the work is not published within that time, rights will revert to the author.

The National Writer's Union does provide contract advice free for their members. Information on the organization can be found at www.nwu.org. 5-6:03