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Q: We are publishing a children’s picture book that is exquisitely illustrated with award-winning pressed flower art. A major corporation is considering using our book as a sales tool to demonstrate the printing capabilities of a digital printing machine.

If the book is accepted, the company has told us that there would be no remuneration, and that we would have to sign a release granting them the right to print as many copies as they want, forever. This would be a very drastic step for us.

According to Paul Aiken of the Authors Guild, “One wouldn’t do this sort of thing for a book where significant sales numbers were expected, but for a very low-selling book the publicity might pay off. The contract would have to be carefully written to be sure that the corporation won’t sell the copies or do anything to encourage putting the free copies into normal trade channels. It sounds as though the corporation has no need to bind the copies it makes. It should be prohibited from doing so.

“More importantly, from a legal perspective, the publisher probably does not have the right to make so many free copies available – these aren’t review copies, after all — without the author’s and artist’s permission. For such an unusual promotion, the author’s and illustrator’s permission has to be sought.” 1:2/06