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# Random House Cedes Some Digital Rights to Styron Heirs

By Motoko Rich, New York Times, April 25, 2010;

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After publicly staking a claim to the right to publish electronic versions of books that already have a long history in print, [Random House](#) appears to be letting go of digital rights to several works by one prominent author without a fight, potentially opening the way for other authors to take their e-books away from traditional publishers.

Early next month the family of [William Styron](#), a literary lion of the 20th century who died in 2006 at 81, will proceed with plans to work with a new venture, [Open Road Integrated Media](#), to release e-books of titles like “Sophie’s Choice,” the [Pulitzer Prize](#)-winning “Confessions of Nat Turner” and Styron’s memoir of depression, “Darkness Visible.”

Because e-books were not explicitly mentioned in most author contracts until about 15 years ago, disputes have arisen about who has the right to publish digital versions of older books. But along with other publishers, Random House, which releases Styron’s works in print, has said that clauses like “in book form” give it exclusive rights to publish electronic editions. In a letter to literary agents in December, [Markus Dohle](#), chief executive of Random House, the world’s largest publisher of trade books, said authors were “precluded from granting publishing rights to third parties” for electronic editions.

But in a statement last week Stuart Applebaum, a spokesman for Random House, said the company was continuing talks with many authors or their estates about publishing e-books of their older works. “The decision of the Styron estate is an exception to these discussions,” he said in an e-mail message. “Our understanding is that this is a unique family situation.”

Mr. Applebaum added that Random House had released e-book editions of two titles by Styron published after electronic rights clauses had been added to contracts. “We are hopeful future discussions with his family members will eventually result in additional e-book publications,” Mr. Applebaum said.

People in the publishing industry said Random House’s apparent acquiescence in the Styron case could lead to a flood of other authors or their estates moving e-books

to separate digital publishers.

“I just wonder whether we will see a spate of ‘me toos’ from other Random House authors and agents who feel that they too deserve similar accommodation,” said Richard Curtis, a literary agent and publisher of [E-Reads](#), an e-book company.

With the market for e-books growing faster than any other segment of the industry, traditional publishers are scrambling to secure their digital futures not only by publishing current titles in e-book form but also by digitizing older titles. Some of these books can be very important to publishing houses because they bring in lucrative revenues every year with very little marketing investment.



Jane Friedman and Jeffrey Sharp, founders of Open Road Integrated Media.

But many authors and agents have not been satisfied by the royalty rates that traditional publishers offer on e-books. And in the Styron case the family was also lured by Open Road’s promise to reinvigorate Styron’s legacy and introduce his older books to new readers.

“There’s a whole generation, if not two new generations, who aren’t familiar with my father’s work,” Susanna Styron, the author’s eldest daughter, said in a telephone interview. “I don’t think a lot of young people are going

to be introduced to my father's work if they aren't introduced to it electronically."

Despite William Styron's literary reputation his books have not sold particularly well in print in recent years. According to Nielsen Bookscan, which tracks about 70 percent of retail sales, his biggest selling title last year was "Sophie's Choice," with only 5,000 copies.

Open Road, which was founded by [Jane Friedman](#), the former president and chief executive of HarperCollins Publishers Worldwide, and Jeffrey Sharp, a film producer whose features include "Boys Don't Cry" and "You Can Count on Me," has a plan to push Styron's work all over the Internet. In addition to selling the e-books — for which it has designed new "covers" and added biographical summaries — Open Road has produced film clips of Styron's widow, Rose, and daughters Alexandra and Susanna discussing his life and work, and digitized hundreds of letters, photos and other documents from Styron's archives at [Duke University](#).

This material will appear on Open Road's Web site, [openroadmedia.com](#), as well as on [Facebook](#). Open Road will also send out links on [Twitter](#) and try to persuade literary bloggers and fan sites to link to the content.

"All of this is going to be used by Open Road to uncover more fans for William Styron," Ms. Friedman said in an interview last week at the company's offices in SoHo. Open Road will not charge for any of this extra material. The company said the e-books would be sold through various online retailers, but for now it has a deal only with [Amazon](#).

Rose Styron said she was attracted by the marketing plan. "My children and I felt it would be a fine way to get him back into the public eye," she said in a telephone interview. "And this sort of publicity would be good for everyone, we thought, including Random House, because people would buy more of Bill's books in print."

Ms. Styron also said that the fact Open Road was offering a 50-50 profit share on the e-book editions attracted the family. "Of course we like that," she said. The traditional publishers, including Random House, have recently moved toward an industry standard of offering authors 25 percent of net receipts (that is, revenue taken in from e-book retailers) for electronic editions. Individual authors have struck different deals with publishers.

Ms. Styron added the family was nevertheless torn by its decision to move the e-books out of Random House because of the family's long-standing relationship with Bob Loomis, Styron's friend and editor.

Jeffrey Coploff, the Styron estate's lawyer, said Random House tried to persuade the Styrons to stay, but that in

the end they decided they would be better served by Open Road, and that they had a legal right to seek a separate e-book publisher.

Mr. Loomis said he wished the family had decided to keep the e-books with Random House, but that he understood why it had chosen to move. Open Road is "concentrating on one author, which is a good thing for Bill," Mr. Loomis said. "I think it's going to work, if things like this can work."