



## Legacy and Pass-Along Book Agreements: A Word of Caution

© 2015 by John B. McHugh

### "Practical Problem-Solving Advice for Publishers"

Should you use free book publishing agreements that your colleagues share with you or ones that you find online? Agreements that you receive from colleagues may be free but could cost you down the road. I advise my clients to obtain competent legal counsel when revising any licenses used in their publishing business.

Preparing your own licenses is analogous to doing your own estate planning without an attorney. If you make mistakes, the probability of substantial downstream costs will be high. The old cliché “penny wise and pound foolish” says it all.

Avoid using any book contracts found on the Internet or any “pass-along” contracts that most likely will be dated in terms of changes in copyright law, rights granted by the author, “out of print,” and electronic publishing. Such “pass-along” contracts could be defective and could cost you dearly down the road, with undue legal exposure far exceeding the legal fees you would pay for competent advice.

If you need a new book contract or a revision of a contract, *consult with a qualified copyright/publishing law attorney.*

#### **Of Interest by McHugh**

- R-23, *McHugh's Rights and Permissions Glossary*, 2014, 12 pages,
- R-35, *Rights and Permissions: McHugh's Recommended Books and Web Sites*, 2014, 3 pages
- SM-2, *Six Suggestions on Intellectual Property and Social Media: A McHugh Select*, 2014. 3 pages

**<http://goo.gl/OHe882>**

#### **About John B. McHugh**

John B. “Jack” McHugh is a 40-year veteran of the publishing business. Jack has worked as an executive for Houghton Mifflin, Wadsworth, and Saint Mary’s Press. Jack is also an experienced association publishing executive. For seven years, he was Publisher and Director of Programs

at the American Society for Quality and for a two-year period, he served as the Interim Publisher at the Project Management Institute. Jack's specialties include association/nonprofit publishing, book publishing, executive recruiting, journal publishing, rights and permissions, organizational design, and startups. He serves as an advisor to the Friends of Kletsch Park in Glendale WI <http://goo.gl/6PhtU4>. Jack is the manager of two LinkedIn™ groups, Association and Nonprofit Publishing and The Self-Employment Forum.

Contact: John B. "Jack" McHugh

Email: [jack@johnbmchugh.com](mailto:jack@johnbmchugh.com)

Website: <http://www.johnbmchugh.com/>

LinkedIn™ Profile: <http://goo.gl/cR51Dq>

Association and Nonprofit Publishing LinkedIn™: <http://goo.gl/xepxo2>

Phone: **414-351-3056**