

E-Books – Taking the Plunge

By:

Jill Hoefling
State Bar of Texas

Annette Turcotte
Massachusetts CLE, Inc.

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Jill Hoefling
State Bar of Texas
Austin, TX

Jill Hoefling is the budget and financial director of the TexasBarBooks department at the State Bar of Texas. She has worked in the department for more than nineteen years, and has done everything from setting the type to setting the annual budget. Jill has been a member of ACLEA since 2000.

Annette Turcotte
Massachusetts CLE, Inc.
Boston, MA

ANNETTE TURCOTTE is the Production Manager at Massachusetts Continuing Legal Education, Inc. (MCLE | New England), where she oversees the production of all print and electronic products and the maintenance and development of the website. Prior to joining MCLE | New England in 1995, she had worked in the newspaper industry for ten years in various capacities, most recently as production editor and arts critic for an Italian-American news weekly in Boston's North End. Before embarking on a career in the publishing industry, Annette spent several years as a theater technician, working with the Opera Company of Boston and its touring company, Opera New England, as well as with summer stock theaters throughout the Northeast. She attended the University of Bridgeport (B.F.A., Technical Theater) and Midlands Technical College (Commercial Graphics) in Columbia, SC.

E-Books – Taking the Plunge

Annette J. Turcotte

Production Manager, MCLE | New England™

Jill Hoefling

Budget & Financial Director, State Bar of Texas

In the world of trade publishers, the need to offer ebook options to their customers is pretty much a foregone conclusion. For publishers of professional books, however, the waters are not so clear. Massachusetts Continuing Legal Education (MCLE | New England™) and State Bar of Texas (SBOT) have each taken the plunge into those murky waters. This paper attempts to outline many of the planning, production, and distribution issues every publisher needs to consider before adding ebooks to their collection, and offers insights from both MCLE | New England and SBOT on their specific experiences and decisions.

Also included as an appendix is a report from the Digital Book World 2011 Conference held January 24–26, 2011. The statistics are a year old and the notes throughout it are specific to MCLE | New England’s situation, but the general session summaries may be of some interest to those considering how ebooks fit into their offerings.

I. PLANNING CONSIDERATIONS

A. Content to Offer

1. What type of content do attorneys want in ebook format?
 - ➔ **MCLE | New England** decided to offer all of its practice manuals as stand-alone ebooks. We also offer all of our practice manuals plus selected program materials as web-based products through our OnlineLibrary subscription.
 - ➔ **SBOT** distinguishes its electronic offerings as either digital products (a fully hyperlinked PDF, with forms in Word or RTF) or ebooks. Most of our practice guides include a digital product. We decided to offer ebooks in two categories: books with no existing digital product that were historical or philosophical in nature, and new titles published exclusively in ebook format.

B. Format(s) to Offer

1. There is no single standard available—EPUB is the closest, but not usable on Kindle.
2. PDF is usable on most devices and familiar for desktop use.
3. Need to use the MOBI format to make ebooks available to Kindle users without going through Amazon (PDFs also render on most Kindles, but text reflow doesn’t work).
 - ➔ **MCLE | New England** decided to offer three formats—EPUB, MOBI, PDF—to make our ebooks available to the widest possible audience.
 - ➔ **SBOT** decided to offer in MOBI and EPUB.

C. Digital Rights Management

1. As with ebook formats, there is no single standard available—most of the large distributors (Amazon, Barnes & Noble, Apple, Google) use their own DRM controls, which are not transferable to other devices/services.
 2. The Adobe Content Server software is in wide use in libraries and with some smaller online distributors, but doesn't work with Apple products or with the Kindle.
- **MCLE | New England** decided to not embed DRM controls in our ebooks, relying on the user agreement (attached as Exhibit A) that must be accepted before downloading the ebook file and the copyright information in the ebook itself.
- **SBOT** titles are offered only through distributors, using their DRM controls.

D. Conversion Process

1. In-house or outsourced?
 2. How will ongoing updates to the books be handled?
 3. What are the source files?
 - a. *The software used to create your print books is a major factor in considering how to create ebooks.*
 - b. *Are books in one file or individual chapter files?*
- **MCLE | New England** decided to keep the conversion process in-house, bringing in a temp for four months to handle the bulk of the conversion work. We wanted a process that could be continued by existing staff once the backlist catalog was converted. There are no ongoing costs other than staff time.
- **SBOT** decided to outsource the conversion process.

E. Distribution

1. Options: partner with existing online distributor (Amazon, Barnes & Noble, Apple, Google) and/or offer direct sales from website.
 2. Advantage of online distributors is wireless delivery to mobile devices and wide visibility; disadvantage is giving up pricing and DRM control/revenue sharing.
 3. Advantage of direct sales from website is control over pricing and DRM policy; disadvantage is requiring customers to first download ebook to a computer then synch with mobile device.
- **MCLE | New England** decided to sell our ebooks only from our own website.
- **SBOT** decided to sell our ebooks only from existing online distributors (Amazon and Apple).

II. PRODUCTION PROCESS

A. Software

- ➔ **MCLE | New England** uses Adobe Acrobat to create PDF; Sigil (freeware) to create EPUB; and Calibre (freeware) to convert EPUB to MOBI.
- ➔ **SBOT** uses Adobe Acrobat to provide PDFs to conversion contractor.

B. Workflow

➔ **MCLE | NEW ENGLAND:**

1. As the PDF files that will be used for printing are created, a second PDF of each chapter is created that is optimized for online viewing.
2. The final Word file is saved as an HTML file (using Word's built-in converter).
3. The HTML files are imported into Sigil and the layout, placement of graphics, etc. is checked (this can take from 30 minutes to several hours, depending on the complexity of the layout, number of graphic images, etc.).
4. Once the completed EPUB file is saved from Sigil, it is imported into Calibre to be converted into MOBI. The conversion process is automated, and can be done in batches if more than one ebook is ready for conversion.

C. Handling Supplements and Revisions

- ➔ **MCLE | NEW ENGLAND's** workflow is the same for supplements and revisions as for new books, except that we only make new PDF/HTML files for those chapters that have been updated and replace those chapters in the original PDF & EPUB files (the MOBI file is regenerated from the updated EPUB file). If that is all of the chapters, we create new ebook files using the process above.
- ➔ **SBOT** ebook titles are not generally updated because the content is not time-sensitive.

D. Timing

- ➔ **MCLE | NEW ENGLAND's** goal (which we usually meet) is to have the ebook online the same day as the new or updated book is available in print.
- ➔ **SBOT** delays offering of ebook until the print counterpart has been out for a period of time.

III. SELLING EBOOKS

A. Pricing

1. Same as print, or less because tangible costs are less?
 2. Discount for print/ebook combo?
 3. Discounted price for supplements/revisions?
- **MCLE | New England** decided to price ebooks the same as print. Ebook supplements and revisions are also priced the same as their print counterparts.
- **SBOT** pricing is based on standards set by commercial publishers and evaluation of return based on the royalty structure set by distributors.

B. Marketing

1. Online only, or presence in print pieces?
 2. Market as separate product, or format option for existing products?
- **MCLE | New England** did one email press release to our entire list announcing the availability of ebooks when they were first launched. Following that, we added the ebook option to all print book advertising, including a presence on our website, in our print catalog, in featured book emails, and on print book brochures. For supplements and revisions, an email is sent to owners of the ebook with a link to purchase and download the updated version.
- **SBOT** occasionally does email marketing for ebooks, but otherwise relies on our work being discovered organically on distributor platforms.

C. Sales Results

→ **MCLE | NEW ENGLAND**'s experience – first nine months

- 177 ebooks sold; \$27,202 in revenue

average price: \$153.68

civil litigation:	65 sales	24 titles
estate planning:	33 sales	9 titles
family law:	19 sales	6 titles
criminal law:	18 sales	8 titles
employment law:	16 sales	5 titles
business law:	12 sales	8 titles
real estate:	9 sales	5 titles
miscellaneous:	5 sales	3 titles

downloads:	EPUB 13	MOBI 10	PDF 134
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- 153 unique customers

18 customers bought 2 or more ebooks (12%)

By state:

CA 3	MA 122
CT 3	NH 4
DC 1	NY 3
GA 1	PA 2
IL 1	RI 12

35 in practice more than 25 years (23%)

75 in practice 5–25 years (49%)

18 in practice less than 5 years (12 %)

25 non-lawyers (16%)

108 solo practitioners (71%)

34 in firms 2-10 (22%)

5 in firms 11-25 (3%)

4 in firms 26-50 (3%)

2 in firms 50+ (1%)

→ **SBOT's** experience – first year

- 227 ebooks sold, 39% ROI
- Customer information not available.

IV. THINGS WE'VE LEARNED

→ **MCLE | NEW ENGLAND**

a. Marketing & Sales

- Consistent with our experience with other online products, there are customers who want the product who will not or can not order them online. Access to the ebook and tracking of downloads is done through the website, so we needed a mechanism to manually add orders.
- We initially offered a combo deal of a 25% discount for customers who bought both the print and ebook at the same time. We've found there was no interest in this and have discontinued it.

b. Production

It is important to think beyond the print book when preparing manuscripts for print. Our global document templates are consistent from one book style to another so one conversion process works for all of our collection, but we still fell into the trap of making localized format changes on individual pages that look fine in print but don't translate well to electronic formats. Some of the things we have learned to watch out for:

- Using manual line breaks is an easy way to adjust text elements on a page so it looks good in print but in electronic products, where the font and screen sizes will vary, they can create some ugly results.
- Using tabs to create columnar text works fine in print, but it translates badly in electronic formats. We now take the time when working on the print books to put anything that has a columnar layout into tables so it is ready for conversion without additional formatting work.
- A few years ago, in an effort to reduce the size of some of our print books from two volumes to one, we started providing some or all of a book's exhibits on CD only. As we did this, we removed the text of the exhibits from the chapter file and maintained each exhibit as a separate file only. When we started the ebook conversions, we had to go back through each book we had done this to and re-insert the exhibit text into the chapter files. We still don't print all of the exhibits, but we keep the text of them in the chapter file.
- We use footnotes sparingly in our books, but where they are necessary we are converting them to plain text with manual references inserted into the chapter text and placing them as endnotes at the end of each chapter or exhibit. It is possible to create hyperlinked footnotes in ebooks, but we found there were too many inconsistencies in the way they are handled and prefer the cleaner (if slightly less user-friendly) look of plain text references.

Exhibit A

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Appendix

Digital Book World Conference 2011 January 24–26, 2011

Report by
Annette Turcotte
for MCLE | New England

My main take-away from the conference is that the ubiquity of e-books is a foregone conclusion. No one is considering whether they should be creating e-books; the big question now is whether (or how soon) they should be publishing the next generation of e-books. The creation of enhanced e-books – those that include interactive features, including audio and video content – was the common thread running through most of the conference sessions.

The conference is focused primarily on trade publishers, so much of the information – particularly the statistics – will be of limited applicability to us. Still, there was a lot of good information to be had, and some of the discussions stimulated ideas that I doubt I would otherwise have had.

General Sessions

The general sessions included presentations by executives from several of the large publishing companies. The main points made in those sessions:

2010 Review

- e-reader prices fell to close to \$100
- 10.5 million people own dedicated e-reader
- one-third of iPad owners also own a Kindle
- \$1 billion spent by consumers on e-books

2011 Forecast

- 20+ million people will read an e-book on a mobile device
- \$1.3 billion will be spent on the current generation of e-books
- new e-book format (enhanced e-books) will begin to take hold

In a survey of executives from the 27 largest publishers in the U.S., 89% are optimistic about the ability of the industry to adapt to e-books, although only 83% believe their company is capable of handling the rise of e-books.

When asked which device will win in the e-reader market, 46% of the executives think tablets (like the iPad, but not limited to it) will come out on top, 29% think e-ink readers (like the Kindle) will win, and the rest feel it is too soon to tell.

I'm not convinced it will actually come down to one or the other. I can see myself getting one of the new tablets coming on the market, but I don't see it replacing my use of the Kindle. As the statistic above suggests, there is a lot of cross-over between the two.

The survey respondents were split on the importance of developing apps for the iPad & Android markets, with only one-third of them seeing the possibility of creating a revenue stream from them.

When I first started listening to people speak about apps I couldn't see its usefulness for us, but the more I heard and saw, I realized that we shouldn't dismiss it completely. When we first began talking about e-books, the point was made that these would probably be most useful to litigators who need information at hand in court. There might be a way to repurpose the content of our various evidence books to create a Massachusetts Evidence App.

A few interesting points from a panel discussion by four publishing CEOs:

- The large publishers have not figured out how to combine the e-book and print workflows effectively; most are basically running two companies concurrently.
- As sales at traditional bookstores fall, the use of social media is replacing the marketing impact of “front of store” displays for new releases.
- Macmillan does not allow its e-books in library lending collections. They have not yet found a model that they are comfortable with.
- The EPUB3 standard that will be released later this year will allow new features to be added to e-books (video, audio, interactive content), but it is not yet clear what consumers will want. One of the panelist suggested it is not a good idea to interrupt the reading experience with multimedia content.

The EPUB3 Standard was a popular topic throughout the conference. This will allow for a multimedia e-book experience within a traditional e-reader, something currently only available through stand-alone book apps. Widespread adoption of this is probably still a year away – the standard is planned for release in May, and once it is released the e-reader manufacturers will need to develop updates for their devices/software to be able to read the format. As mentioned above, it is not clear what consumers are going to want, and publishers are being cautious not to rush out and do something just because they can.

Google Books has had one million app installs since its launch in the fall. The app itself is quite basic compared to others – there is no ability to make notations, highlight text, add bookmarks, etc. Google Books only works on web-enabled devices; for traditional e-book readers, the user still needs to download the book and then upload it to their device with a cable. Google Books launched with three thousand publishing partners in November; they are now up to five thousand.

An interesting side note: Boston is not in the top 10 metropolitan areas for use of Google Books.

The Book Industry Study Group (BSIG) presented some statistics from their annual survey of readers:

The average book-buying consumer buys 5.5 books per year. The avid book buyer buys 13+ books per year. Among avid book buyers, 7.9% own an e-reader, 19.3% are likely to buy one in the coming year, and 40.2% are unlikely to buy one. Among those who own an e-reader, 29% prefer a dedicated device (Kindle), 19% prefer a laptop, 9% prefer a mobile device (smart phone), and 4% prefer the iPad.

When looking at what content is being consumed on e-readers, there is a nearly 50/50 split between paid and free downloads.

The proliferation and expectation of free e-books is a cause for concern echoed many times at the conference.

Nostalgia for printed books and the tactile experience of reading a printed book is cited as the main reason for resistance to e-books.

Since the current and future generations will be growing up with e-books, this resistance will largely disappear.

Another area that has not yet been standardized across the industry is the use of ISBN numbers with e-book products. There is a group within BISG working on drafting a set of “best practices” for publishers with the hope of creating a standard everyone can follow. One of the things they are looking at is establishing a way to create a “family group” of numbers that can be used for the various formats of a particular book. Not only does the e-book need a number distinct from the print book, but each format of the e-book should have its own number.

This is something we haven't addressed for our e-book collection. Since our ISBN numbers are managed/assigned by acquisitions, I'll follow up with Maryanne about how we should address this for our e-book releases.

Notes from the Breakout Sessions

Enhanced e-Books Breakout

- Currently, enhanced e-books are only available by creating an app
- The argument over standard vs. enhanced e-books will soon disappear and there will be one standard for e-books.
- When considering an enhanced e-book, don't think in terms of print; create a new experience of the content.
- Pre-development steps: storyboard, functional spec, wire frame, content

Children's books are at the forefront of enhanced e-book apps and development. They are changing the way kids experience books. This generation will not only be digital natives in terms of computers, but also in their book reading experience.

EPUB3 Enhancements Breakout

Key points: Interactivity; multi-media; foreign language support; accessibility

Features support for HTML5, CSS3, Javascript, and enhanced metadata

HTML5

- Video/audio standards that will work on most devices without recoding
- Semantics tagging in text
- Won't change html workflow

CSS3

- Will allow fixed page layouts in e-book readers

Javascript support

- Standard will include some support, but there are security concerns

Metadata

- The new standard will support additional metadata fields. E-readers will be able to use additional metadata to enhance user experience.

Mobile Strategies Breakout

Mobile vs. Digital

- Mobile more like print than digital is. Short burst of usage.
- Speed of adoption is increasing.
- Constraints: Small screen; short attention span; demand for quality; eye fatigue; no subscription model
- Opportunities: immediate; personal; custom; fast
- Still uncharted territory for e-books; is it worth it?
- Main platforms: iPhone; Android; Blackberry; Palm; Windows Mobile

Building an App

- Set a goal
- Plan for first 12 months of life – up to 3 updates
- How will it be supported post-launch
- Expect cost to be \$20-100K
- Get it right before launch – users are not forgiving

- Position it correctly – don't call it something it is not

“My product is ____; it does ____ in a way no other app can by ____.”

- If you can't fill in the blanks and make this statement compelling, it's probably not worth the time and cost of development.

Key questions to ask:

- What does your app do?
- What does it do better than others?
- What are the memorable aspects of the app?
- In what category does it fit in the App Store?
- What are the key attributes of other apps in that category?
- Who are the customers for the app?
- Why do they need the app?
- What words or phrases do you want associated with your app?
- What words or phrases do you not want associated with your app?
- Who are your competitors?
- What do your competitors do well? Not do well?

Users tend to pick a favorite and stick with it. It is difficult to get users to switch brands and/or apps.

Key metrics for measuring success:

- Length of engagement with app
- Amount of focused engagement with app
- Click through rate (if app includes links)
- Conversions (downloaded vs. downloaded and used)
- Decay (fall-off over long-term)

Consider platforms/distribution

- Main platforms are iPhone, iPad, Android (phone & tablet), Blackberry, Palm, Windows Mobile
- Must be distributed through app store for each device; not all apps are accepted for distribution

Distribution for Small and Midsize Publishers Breakout

I had hoped for more useful information from this panel, but all three of the publishers represented are outsourcing the conversion and distribution of their content. A key difference between us and all of the companies represented at the conference is that we are not trying to reach a mass market with our e-books. Unfortunately, publishers in our position – and professional publishing in general – were not discussed.

When these publishers talked about “going it alone,” they are referring to dealing directly with resellers rather than using a distributor. None of them are trying to sell e-

books directly to consumers, but they don't sell print books directly to consumers, either. Since we are starting from a different place with our print collection, I still think it makes sense for us to sell our e-books directly. We can always branch out to other distribution models at a later time, as we have with our print books on Amazon.

Publishers on this panel:

Harvard Common Press

- 125 backlist titles
- consider the devices available on the market and their appropriateness for your collection
- cookbooks (a large portion of their collection) don't make sense on small screens
- get basic e-book versions out before worrying about enhanced editions

National Geographic

- 120 titles
- mostly heavily-illustrated books that don't make sense as e-books
- only 5-10% of collection available as e-book
- no enhanced e-books being planned at this time
- uses Random House for both print and e-book distribution

University of California Press

- content and metadata are equally important when distributing e-books
- consider the impact of additional data processing to manage/track e-book sales and distribution, particularly if managing multiple outlets without a distributor

Metadata: The Core Elements

The importance of metadata, and the responsibility for “getting it right,” is another of those issues that touches all publishers and causes a lot of finger pointing. While it is the techies who utilize the metadata in the programs they write, the metadata itself is not an “IT thing.” It is a collection of product and marketing information that enables websites and other programs to search for and display content based on specific parameters. For print books, metadata was mostly used by bookstores and libraries to manage their collections; for e-books, metadata is now relevant to consumers as well.

Note: For our initial conversion, I am pulling book descriptions from the website and adding them to the metadata for each book. For the ongoing updates of the e-books, my plan is to create the e-book files immediately following creation of the print files. This will require that the product descriptions are updated before the print book is back from the printer. I'm not sure what the process is now between acquisitions and marketing, but we may need to refine this to make sure the timing works for the e-book creation as well.

An interesting note was made regarding the use of page counts in the metadata for e-books. Although pages are not strictly relevant to the e-book reading experience, it is currently the only recognizable measure for consumers to give them an idea of how long a book is. Down the road,

a measure based on characters or bytes may become commonplace, but for now most are keeping a reference to the page count of the print book in the metadata for the e-book.

We had recently made the decision to remove page count references from the book features bullet points but, based on this observation, perhaps we should reverse that decision.

Advanced Metadata

The rise of e-books has brought about the need for metadata beyond what has been available previously. This “advanced metadata” is basically geared toward increasing discoverability on the web and integration with social media outlets. Where basic metadata is traditionally used for distribution and is “trade-facing,” enhanced metadata is principally used for marketing and is “consumer-facing.” For example, if someone “likes” your book on Facebook, the enhanced metadata can control how that book appears in the Facebook news feed. Enhanced metadata also extends beyond the control of the publisher – as a book is discussed and “passed around” on social websites, new metadata is being created for that book.

As mentioned above, the lack of a standard for metadata is creating problems for publishers, particularly in the e-book arena where the metadata is more transparent to consumers. The big three of the e-book market – Amazon, Google, and Apple – each have different requirements for what is included in the metadata and how they receive it.

Where Do Libraries Fit Breakout

- The leading program being used by libraries for e-book lending is Overdrive.
- Overdrive allows libraries to buy one or more copies of an e-book to add to their collection inside the Overdrive program.
- Any e-book owned by the library can be borrowed by a patron for a set length of time. The expiration of the e-book is controlled by DRM within the Overdrive program.
- The system supports multiple devices and supports both on-site and remote borrowing.
- 72% of municipal libraries are offering e-books.
- In the New York City Municipal Library system, only 1% of books being borrowed are e-books.

If or when the state law libraries buy into the Overdrive system, or some other similar product, we will need to make our collection available to their selected program. This shouldn't be a problem for us since we are using the EPUB standard. We'll need to have an ongoing dialog with the law libraries to find out where they are heading so we can be prepared to meet them there.

Notable Vendor Demonstrations

I watched product demonstrations from several of the vendors in the exhibit hall. Most were offering either content conversion services or distribution services, neither of which are particularly applicable to us. However, there were a couple that stood out for me as possibly relevant to our business.

Aptara – This is a software company offering a start-to-end solution for publishing regardless of media. It is reminiscent of the old SGML content management systems that promised single-source publishing to multiple formats, but is built on a much more open and user-friendly platform. It is a web-based program, so collaboration with editors and authors in the editorial stages would be facilitated. It supports PDF and EPUB output for both print and e-book formats.

We've managed the initial conversion of our collection, but one thing that was made abundantly clear over the past three days is that the technical standards for e-books are still in the development phase. I worry about our ability to keep up with the changes, which are likely to come along rapidly. We are also at a point where we need to upgrade the version of Microsoft Word that we use, but I've been reluctant to do it because the newer versions don't support styles in the same way and will require some significant changes to our book templates. Before making a decision about an upgrade of Microsoft Word, I want to take a closer look at this product and see if it is feasible (and affordable) for us. The sales rep I spoke with will be sending me more information and I'll let you know what I find out.

Copia – This is a website that is both a web-based e-reader and a social media site. On the e-reader side, they've worked a lot on enhancing the ability to annotate e-books beyond what other e-readers can do. They also allow users to share annotation with each other and to create groups centered around a particular book or a book collection. Basically, they are creating virtual bookclubs that let users carry on discussions and share notes and recommendations with each other.

I don't know if there is an application in this type of service for us, but the idea of being able to create specially-annotated versions of books and share them with a particular group of people peaked my interest.