

Publishing and Fixed Book Price

International
Publishers
Association



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Bogota, 9 July 2009



What is IPA?

- Federation of national and regional publishers associations
- 75 members in 65 countries
- Our goals
 - To represent publishers at international fora and to defend the interests of the international publishing community wherever such interests are at stake.
 - Literacy
 - Freedom to publish
 - Copyright



Fixed Book Prices

- Resale price maintenance (RPM)
- Publisher determines the price of books sold by retailers
- Two possible set-ups
 - Based on contracts (often through PAs)
 - Based on law



History

Not new:

Denmark 1830

Germany 1880

UK 1900

Not old:

Spain 1975

Portugal 1996

Italy 2005

Move from contract to law to avoid
anti-trust issues



Duration

6 months

Hungary

1 year

Slovenia, Netherlands

18 months

Germany, Portugal

2 years

Spain, France

Permanent

Italy

In practice:

publishers keep the price up for longer



General Discounts

0% Germany

5% Austria, France

10% Greece, Portugal

15% Italy

Given by publisher or bookseller



Special Discounts

Schoolbooks

Sales to schools

Sales to libraries

Students

Etc....

Sometimes these are exempt from the fixed price, sometimes maximum discounts are set



Other Restrictions

- Foreign works (Imports)
- Exports
- E-Bay (?)
- E-Books (?)
- France: Only 10% of works may have a fixed book price
- Must publishers print the price on the cover?



Challengers

- Newspapers
(GR: *Lambrakis Case*)
- Petrol stations
(FR: *Esso v. Dargaud*, Cour de cassation Versailles, 2002)
- Individuals (DE: *ebay sales*, OLG Frankfurt, 2004)



Rebate schemes

- Starter vouchers for first time customers: *amazon.de* (LG Wiesbaden, 2004)
- Airmiles: *Miles&More/buch.de* (OLG Frankfurt 2004)

Schemes ok, but bonuses cannot be used for the purchase of books subject to the fixed book price.



Antitrust authorities

- Re: trade agreements
- Generally: National competition authorities
- European Commission where trade agreement impact on cross-border trade



Ongoing Debate

1. Do publishers want it?
2. Does it help?
3. Why does the book industry need this special treatment?
4. Is this the most effective way to help?



Do publishers want it?

No international consensus

No publishers association action

UK, US, Sweden

publishers association support

Austria, Germany, France, Hungary,
Greece, Portugal, Spain, Slovenia,
Switzerland

**IPA supports national PAs in their
policies**



Does it work?

What do you mean with « work »?

Support the local book industry?

Support local publishing?

Support reading?

Support variety of books?

Support new writers?

Support book shops?



Supporters claim

Fixed book prices

- Increase bibliodiversity
- Sustain independent, small and remote book shops
- support more writers
- A special case: we must make thousands of titles equally available



Does it work?

Very hard to say

UK lost net book agreement, but sales grew

France reinstated fixed book prices after 2 years in 1981 after book shop crisis

A war of statistics ...and beliefs



Books and the Public Interest

- Every nation needs a local publishing industry
- Every nation can have a local publishing industry
- Books are great ambassadors
- Literary Readers Better Citizens
 - Earn more
 - Are culturally active
 - Do more sports
 - Volunteer more
 - Vote more often



Alternatives

- Reduced VAT/other tax benefits
- Purchase programmes for libraries
- Print/publishing subsidies
- Export/book fair/translation support
- Public awareness for writing and books
- Copyright enforcement

A National Book Policy

Gracias Total

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