

## **PROPOSAL**

Boycott Blackstone Audio for 6 months (August 1, 2019 – January 31, 2020), purchasing no new or added copies of their eAudiobooks in order to protest their embargo on library sales beginning July 1, 2019.

Invite other library systems to join us in the boycott to maximize its impact.

### **What problem are we trying to solve?**

The Blackstone embargo is the second to occur recently. Last summer, Tor Publishing did the same. And Hachette and Simon & Schuster both recently announced that they will change eAudiobooks from perpetual access to a metered access model, which will cost libraries more over time for the same materials. We are concerned about the pattern we see, with multiple publishers creating barriers for libraries and limiting access for library patrons. If publishers are permitted to continue creating these barriers unchecked, we believe more barriers will occur. We wish to use our purchasing power to communicate to Blackstone and other publishers that libraries are customers who add value to the publishing ecosystem. Moreover, we have an ethical obligation to maximize patron access to materials and get the best possible value for our taxpayer dollars. Working with partners who are willing to impede patron access puts those obligations at risk.

### **What outcome do we want to see?**

Blackstone Audio will take steps to stop the embargo.

Other publishers will rethink the premise that libraries will continue to do business with them regardless of the barriers publishers implement.

### **What do you need to do in order to join the Washington Digital Library Consortium (WDLC) in the boycott?**

1. Review the letter to Blackstone and the email to OverDrive. These are posted in the toolkit [here](#).
2. Get approval from the appropriate decision makers at your library. We have included possible stakeholder talking points in the toolkit.
3. Email us that you would like to join no later than 12:00 PM, Wednesday, July 17, 2019. We will be emailing the boycott announcement to Blackstone and OverDrive on July 18, 2019 and will include the name of your institution, if you wish.
4. Prepare selectors and staff for the boycott implementation.
5. Implement it!

**Important:** If you can't join WDLC's boycott, we still encourage you to create a boycott of your own. Perhaps your decision-makers aren't available or your library is more comfortable with a three-month boycott rather than six. You are welcome to adapt for your own use any of the resources in the online toolkit, which includes:

- This proposal, including patron impact analysis and logistics for selectors
- Our letter to Blackstone
- Our email to OverDrive

- Sample press release
- Talking points for stakeholders
- Q&A for staff and patrons
- FAQs for library staff considering a boycott

If you create your own boycott, we would love to hear from you and add your name to our online list of participants!

## PATRON IMPACT

### How much of the catalog is represented by Blackstone?

We analyzed the eAudiobook titles in the WDLC collection. Blackstone was listed as the publisher for about 20% of our total eAudio collection. Of all the Blackstone titles in our collection, 86% are titles for which we own only 1 or 2 copies, making them firmly mid-list.

(If you would like to do an analysis on our own collection, we will add a step-by-step guide to the appendix.)

There are titles, however, that are scheduled for publication during our proposed boycott window. Asking our patrons to wait for these titles will be unpopular. In particular, we note:

Author	Title	Est, print pub date	Available in MarketPlace	Preordered	End of Boycott period
Douglas Preston	Old bones	8/20/19	No	No	2/1/20
Michael Connelly	The night fire	10/22/19	No	No	2/1/20
David Baldacci	A minute to midnight	11/19/19	No	No	2/1/20
James Patterson	Criss Cross	11/25/19	No	No	2/1/20
James Patterson	19 <sup>th</sup> Christmas	10/7/19	No	No	2/1/20
James Patterson	Killer instinct	9/9/19	No	no	2/1/20
James Patterson	The inn	8/5/19	No	No	2/1/20
James Patterson	The warning	8/13/19	No	No	2/1/20

### **What percentage of patrons will be impacted by having to wait for Blackstone titles?**

Over the last year (June 1, 2018 – May 31, 2019), patrons of the WDLC libraries accumulated 14,713 checkouts on the 218 Blackstone titles added during that time period. That number represents 2.7% of our total eAudio checkouts for the year, and 1.1% of our total checkouts on OverDrive for the year. Since our boycott is six months, not a year, we expect approximately half that number of patrons to be impacted.

To help you estimate this figure for yourself, we will add a step-by-step guide in the appendix. Note that these numbers represent total checkouts, not unique users; as many users will return and borrow again and again, a smaller number of patrons will likely be impacted.

### **Will you order the popular books after the embargo is over? Won't this just delay Blackstone's profits?**

Yes, we plan to order any eAudiobooks that patrons have requested once the boycott period expires. As the eAudiobooks will no longer be brand new, we expect demand to be less, which will likely impact the number of holds placed and therefore the number of added copies the WDLC will be required to purchase.

Our intent is not to negatively impact Blackstone's earnings, but to demonstrate 1) the importance libraries play in helping users discover new materials, which has a profound impact on publisher profits over time, and 2) the impact libraries can have when organized around a common goal for the good of our patrons. Neither do we intend to deprive patrons of materials they enjoy, and the WDLC libraries plan to provide titles through Book on CD, print, Large Print, and eBooks to keep titles available to patrons in as many ways as possible.

## **SELECTION LOGISTICS**

### **Choosing what not to buy**

WDLC has chosen not to buy any eAudiobook titles from Blackstone Audio, including popular thrillers that we know patrons will miss. That said, we considered a less impactful boycott model and have shared the details below. We invite you to define the parameters of your boycott in a way that works best for your library and patrons. You do not need to follow our model exactly in order to join us.

Details:

Blackstone Audio appears to think about its collection in two categories:

- Blackstone Only: Its "own" titles, which include authors Karin Slaughter, Don Winslow, and Meg Gardiner
  - Shorter list of titles
  - Authors are less popular
  - May be impacted by the embargo

- Blackstone Partners: Its partner titles, which include authors Douglas Preston, Michael Connelly, David Baldacci, and James Patterson.
  - Longer list of titles
  - Authors are more popular
  - Will likely not be impacted by the embargo

Blackstone communicated with us that only their “own” authors are candidates for embargo, but they did not share which authors specifically. They did confirm that none of the authors below will be embargoed.

- Kate Atkinson
- David Baldacci
- M.C. Beaton
- Michael Connelly
- Robert Galbraith (J.K. Rowling)
- James Patterson
- Douglas Preston
- Michael Robotham
- David Sedaris
- Nicholas Sparks

In response to the embargo and lack of complete information, WDLC considered whether to boycott just the Blackstone Only or to boycott Blackstone + Partners.

The pros & cons we considered are:

Boycott Blackstone Partner titles

<u>Pros</u>	<u>Cons</u>
Bigger \$\$ impact to Blackstone: get their attention	Limits patron access to more titles
Makes a bigger statement to other publishers considering barriers to library customers	More patrons impacted since we’re boycotting popular titles
May create \$\$ impact on Blackstone’s partners	More work for staff to manage patron impact
May be easier for selectors	
Easier to communicate to stakeholders	
More opportunity to educate to patrons	

Boycott Blackstone Only titles

<u>Pros</u>	<u>Cons</u>

Limits patron access to fewer titles	Less financial impact to Blackstone—less “important” to them
Fewer patrons negatively impacted	Less likely to be noticed/taken seriously by other publishers
Less work for staff to manage negative patron impact	If not successful, possibly need to reorganize for a 2 <sup>nd</sup> tier of boycotting
	More difficult for selectors to implement
	More difficult to communicate
	Fewer patrons impacted = fewer patrons educated ?

We believe that either of the above models are appropriate ways to approach the boycott and that other libraries may create other valid parameters, which will work best for them and their patrons. We hope that you will join us, no matter how you decide to coordinate the details.

### How we think it will work in Marketplace

We believe it is mostly possible to tell the difference between Blackstone Only vs. Blackstone + Partner in OverDrive’s Marketplace as follows:

Blackstone Only: The publisher data will show only Blackstone Publishing

 **Preorder: The Last Widow**  
 Will Trent Series, Book 9  
 Unabridged  
 Will Trent  
 Karin Slaughter, Kathleen Early  
 Blackstone Audio, Inc. | Blackstone Publishing  
 Adult Fiction  
 Mystery, Suspense, Thriller  
 Fiction / Mystery & Detective / Police Procedural  
 Fiction / Thrillers / Suspense  
 Language(s): English  
 On-sale date: 2/27/2019  
 Street date: **Estimated 8/27/2019**

Unit(s):

**Estimated \$69.95**

This is a preorder title. If you purchase it now, it will be added to your OverDrive website so your end users can start placing holds. You will not be invoiced until its street date. Metadata (price, street date, etc.) may change as the title is finalized by the publisher.

Blackstone + Partners: The publisher data will show Blackstone Publishing as well as another publisher

**18th Abduction**  
 Women's Murder Club Series, Book 18  
 Unabridged  
 Women's Murder Club  
 James Patterson, Maxine Paetro, January LaVoy  
 Blackstone Audio, Inc. | Blackstone Publishing | Little, Brown  
 Adult Fiction  
 Mystery  
 Fiction / Mystery & Detective / General  
 Fiction / Mystery & Detective / Police Procedural  
 Fiction / Mystery & Detective / Women Sleuths  
 Language(s): English  
 On-sale date: 1/28/2019  
 Street date: 4/29/2019

Unit(s): 1 ADD TO NEW CART  
**\$47.99**  
 OC/OU \$47.99  
 OverDrive MP3  
 OverDrive Listen

SAMPLE

● Own OC/OU: 11 | Own MA: 0 | Own SU: No | Adv Plus shared: 0 | Own CPC: No | Out: 11 | Holds: 34 | Holds ratio: 3.09  
 ● Total checkouts: 92

Advantage: ● Own OC/OU: 6 | Own MA: 0 | Own SU: No | Own CPC: No | Out: 6 | Holds: 24 | Holds ratio: 1.41  
 ● Total checkouts by Adv. users: 66

When purchasing:

Our selectors create carts of new titles and will need to review each title in the cart before purchase and remove the Blackstone Audio titles. Publisher information is listed in a column when viewing the cart. (if you don't see that column, use the "Add/Remove Columns" button to make sure the "Publisher" is selected to blue.) Please note: the sorting function on this column does not actually alphabetize content, so please continue to visually check each field for any Blackstone products. OverDrive is aware that this functionality is faulty but has stated "our developers are aware of the issue" and "we don't have a timeline for when it'll be fixed."

Added copies:

As a consortium, WDLC uses OverDrive's automated added copy carts that are created weekly based on patron request counts and our holds ratio. Our administrator, who currently reviews the carts before purchasing, will need to remove the Blackstone titles visually as described above. Your process may look similar.

## APPENDIX

### OverDrive announcement regarding the Blackstone embargo

**From:** OverDrive <OverDrive@e.OverDrive.com>

**Sent:** Thursday, June 13, 2019 10:31 AM

**Subject:** Blackstone Audio update



Dear Partner,

Effective July 1, 2019, Blackstone Audio will window select audiobook titles for 90 days. Once this change occurs, affected titles in the Blackstone Audio Catalog will be made available for lending distribution 90 days after their retail on-sale date. Existing preorders and titles from their distributed partners (e.g., Hachette Audio, Marvel, Disney, Lucas) will not be impacted by this change. If you have questions or concerns about this change, please contact Blackstone Audio directly at [libraryservices@blackstoneaudio.com](mailto:libraryservices@blackstoneaudio.com).

Regards,  
OverDrive

Copyright © 2019 OverDrive, Inc.

All rights reserved.

One OverDrive Way Cleveland, OH, 44125

[Privacy policy](#)

**Canned email response from Blackstone when asked for more details**

Hello Carmi,

Thank you for taking the time to share your opinion about our most recent policy changes. We understand it can be frustrating and would like to clarify that this change only applies to select titles. Blackstone was recently given the opportunity to enter an exclusive deal with an important strategic partner. This means that we will introduce staggered release dates for some of our audio products, specifically only titles published by Blackstone.

Beginning July 2019:

- **Audio editions of selected Blackstone Publishing titles will be available exclusively in digital format on our strategic partner's platform for 90 days upon initial release.**
- **Release dates for CD and MP3-CD versions of these titles will be clearly communicated on BlackstoneLibrary.com, where we will accept preorders.**
- **Selected Blackstone Publishing titles and titles from our publishing partners, and our larger titles by authors such as Karin Slaughter, Don Winslow, or Meg Gardiner, ... will be nonexclusive and will be offered to all markets on the original pub date along with titles from our publishing partners (such as Disney, Penguin Random House, Macmillan, Simon & Schuster, Harper, Hachette, ...)**
- **Print and e-book editions are not affected and will continue to release simultaneously with the early digital release.**

We value our library partners and appreciate your understanding as we work to balance the needs of our authors, customers, and business. We understand that this new model may require some adjustments. If you have any concerns, please let us know.

Best Regards,



Ashley Edwards  
Customer Care Manager  
Blackstone Library  
p: (800) 621-0182 x1101  
[blackstonelibrary.com](http://blackstonelibrary.com) / [libraryservices@blackstoneaudio.com](mailto:libraryservices@blackstoneaudio.com)

## Guide to analyzing circulation on the Blackstone titles in your collection

Coming soon!

**Titles where Blackstone is the only publisher listed, owned by WDLC, with a street date within the last year:**

Title	Series	Creators
The Shadow Glass	The Bone Witch, Book 3	Rin Chupeco, Emily Woo Zeller, Will Damron
Dead Ringer	A Western Trio	Louis L'Amour
St. Nicholas Salvage & Wrecking		Dana Haynes



The Secret Wisdom of Nature: Trees Animals and the Extraordinary Balance of All Living Things	Mysteries of Nature Trilogy	Peter Wohlleben, Jane Billingham, Sean Barrett
Mostly Dead Things		Kristen Arnett, Jesse Vilinsky
Envy the Night		Michael Koryta, Mark Boyett
A Town Divided by Christmas		Orson Scott Card
The Scholar	Cormac Reilly Series Book 2	Dervla McTiernan, Aoife McMahon
The Princess and the Fangirl	Once Upon a Con Series Book 2	Ashley Poston, Eileen Stevens, Emily Lawrence et al.
Finder	Finder	Suzanne Palmer, Joe Hempel
Deep River		Karl Marlantes, Bronson Pinchot
Dutch Girl: Audrey Hepburn and World War II		Robert Matzen, Luca Dotti, Tavia Gilbert et al.
They All Fall Down		Rachel Howzell Hall, Janina Edwards
Retirement Planning in Eight Easy Steps: The Brief Guide to Lifelong Financial Freedom		Joel Kranc, Traber Burns
The Everlasting Rose	Belles	Dhonielle Clayton, Rosie Jones
The Border	Cartel Trilogy	Don Winslow*, Ray Porter
Bare Minimum Parenting: The Ultimate Guide to Not Quite Ruining Your Child		James Breakwell
Jesus Is Risen: Paul and the Early Church		David Limbaugh, Jim Denison
The Test		Sylvain Neuvel, Neil Shah
Hunted Wolf	A Western Quartet	T. T. Flynn
When We Left Cuba		Chanel Cleeton, Kyla Garcia
My Real Name Is Hanna		Tara Lynn Masih, Suzanne Toren
The Lying Woods		Ashley Elston, Adam Verner, Stephen Dexter
The Reservoir Tapes	Reservoir	Jon McGregor, Fiona Hardingham, Justine Eyre et al.
Small Fry		Lisa Brennan-Jobs, Eileen Stevens
The Hollow of Fear	Lady Sherlock Series Book 3	Sherry Thomas, Kate Reading
Escaping the Rabbit Hole: How to Debunk Conspiracy Theories Using Facts Logic and Respect		Mick West, Ralph Lister
We Sold Our Souls		Grady Hendrix, Carol Monda

The Second Mouse	Joe Gunther Mystery Series Book 17	Archer Mayor, Tom Taylorson
The Golden State		Lydia Kiesling, Amanda Dolan
The Dead Ringer	Agatha Raisin Mystery	M. C. Beaton*, Alison Larkin
Go Find: My Journey to Find the Lost—and Myself		Susan Purvis
The Ruin		Dervla McTiernan, Aoife McMahon
Pieces of Her		Karin Slaughter*, Kathleen Early
48 Hours		William R. Forstchen, Bronson Pinchot

\*Blackstone has said that these authors will not be embargoed