On February 13, 2013, enthusiasts of the written word were treated to a lunchtime talk by Mr. Douglas Pepper, a long-time veteran of the North American publishing industry and the current President of Random House/McClelland Stewart; additionally, Mr. Pepper has also recently co-founded a non-fiction imprint, Signal. The event, which took place as part of the IP Osgoode Speaker Series, gave those present the chance to partake in a discussion on the future direction of the oldest forms of creative cultural production based on its current state (in Canada at least).

Beginning by acknowledging the recent “seismic shifts in the publishing industry,” Mr. Pepper added that these changes were the result of numerous factors – including, but not limited to the market trends started by online booksellers like Amazon, and the “conglomeratization,” or the phenomena of larger book publishers buying up smaller ones. A third factor, according to Mr. Pepper, has been the decline of traditional book media itself – where the coverage of noteworthy books just isn’t done as often anymore. Due to the economic limitations and readership crises it faces, the newspaper industry doesn’t seem to have as much print space as it used to. All along, the Internet has stepped in to fill the physical printer’s shoes, and it seems that publishing houses, and by extension, the larger industry itself, has turned to the World Wide Web for the marketing, dissemination and sale of books. Mr. Pepper’s message was that books themselves are not in any danger of disappearing; it is merely the means of their conveyance to the world that are changing, attuned as the industry is to the needs of an increasingly intangible world.

E-books have also been instrumental in opening books, and specifically, the long form novel to readers across generations, according to Mr. Pepper. The e-book, by making its home on tablets and e-readers across the country, has become an enabler of the written word, rather than its arch nemesis. “People who would have never thought about going into a book store are now reading, through e-books,” noted Mr. Pepper. Ultimately, it seems that the novel itself is an undying art form, and e-books and online media are only serving to pique the interest of a previously untapped audience.

On the legal side, Mr. Pepper emphasized that the book publishers in general are concerned about the online piracy of books, and the general consensus is that the author’s copyright in the work should be protected; this was consistent with Mr. Pepper’s earlier hat-tip to authors as being the “ones with skin in the game.” Using the music industry’s handling of piracy as an example, Mr. Pepper stated that publishing industry’s management of similar issues has to be different, mostly because the target pirates are, in themselves, different. “Teenagers do not pirate War and Peace like they pirate music,” said Mr. Pepper, while also reminding the audience that, at heart, both industries have one common goal, which is to protect copyrighted material.

The talk then turned into an interactive discussion, since Mr. Pepper seemed eager to understand the collective psyche of the people present in the room, and opened the floor up by shooting an inquiry of his own to the audience, asking, “Where do you find your books? What do you read? And what do you discuss around books?” He then patiently answered queries for over an hour. The range of questions asked were certainly reflective of the audience, which included students, librarians, writers, lawyers and members of authors groups. Mr. Pepper first addressed the question of the publishing industry's relationship with “entrepreneur authors,” or those writers who already have a sizeable audience before being signed onto a publisher’s roster. He pointed out that while a strong online following built through social media can be a definite asset to an author’s print sales, he also believed that the publisher-author relationship was defined by other factors such as the financial security, marketing and editing support that the former provided to the latter, implying that social media and self-marketing techniques are often lacking in these functions. Some aspects of the traditional mechanism, such as the acquisition of books and the publishing process are still relevant, and are becoming a part of the e-book industry as well. When asked if the current publishing model should change, especially since the business side of it (a fixed price for a copy) might not always mesh well with the technology (an e-book is tethered to the device it is attached to and thus, limited in distribution potential), Mr. Pepper admitted that while there are emerging challenges to the current model, certain core aspects should remain unchanged, and the
industry’s "flux period" as it now is, would need to rely on "tried and true formula[e]" to navigate the changing landscape of the Canadian publishing industry.

*Mekhala Chaubal is a JD candidate at Osgoode Hall Law School.*