

Re: Marie Jean Faucounau sues me for at least 8,487 Swiss Francs

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From: Dylan Sung (*dylanwhs.tsktsktsk_at_pacific.net.hk*)

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Date: Wed, 17 Nov 2004 16:18:11 -0000

"Franz Gnaedinger" <frgn@bluemail.ch> wrote in message
news:2bf25455.0411170208.411cb928@posting.google.com...
> frgn@bluemail.ch (Franz Gnaedinger) wrote in message
> news:<2bf25455.0411152326.7bec2388@posting.google.com>...
>
> *Calculating with Dr. Marcel Rochaix* www.ekbt-law.ch
>
> *Please fasten your seat belts and don't you dare laugh*
>
>
> *Summary of a passage on page 6 of Marcel Rochaix's indictment*
> *paper against me: Many people are busy with the Phaistos Disk.*
> *A website on the Phaistos Disk got 58,960 visitors on a single*
> *day (really? not a Pamela Anderson site FG), and there are*

He ought to quote which website he has visited. My web page on Hakka only ever got a maximum visits of around fifty hits per week at it's peak (as I found out with geocities' web stats), mostly it's around five or less visits per day. Even with 35 million Hakka speakers, if we assume a thousandth of them has access to the internet, that's 35,000 people, with only 5 people visiting everyday, i.e. one in seven thousand people hitting my site. If there were almost 60 thousand visitors to that Phaistos disk site, given the visitors to mine, I'd say that's over 60,000 x 7000 = 420 million people interested in the Phaistos disk with access to the internet. How likely is that?

If the number of visitor Rochaix quotes is the the total number of visits since the site was begun, then it would make a lot more sense. Out of these sixty thousand visits over the lifetime of the website, many of these visits are likely to be return visits, thus the number of total visitors are significantly smaller than sixty thousand visits. If you come back to the site only five times (over the lifetime of the site), then the number of people interested in the Phaistos Disk is reduced to around 1200 people.

> *about 18,700 publications on the same topic (the Phaistos Disk,*

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- > *not Pamela, FG) in the web. One can justly assume that a majority*
- > *of the authors of those 18,700 articles would have bought Jean*
- > *Faucounau's book on the Phaistos Disk. Now one may assume that*

As I write about Hakka in my website, I do have about a thousand pages (as I have a several hundred webpage on-line dictionary too) with 'Hakka' in each. However, being the single author of these pages, it does not mean there are a thousand articles.

If each website has five or six pages with 'Phaistos disk' on it, that reduces the number of publication sites to around 3000 website on the subject.

Now, assuming only three thousand web authors are around, it depends how desperately they want to acquire articles on the subject they write about. You cannot automatically assume the majority of authors would buy JF's book, since the webauthors would do the first available thing, research on-line, and perhaps borrow the book from their libraries. It is economically sensible to do research on-line as it cost nothing. In effect, most of the web authors are probably cross referencing with other website on-line. As for actual buyers of the books, they are probably those who are hardcore researchers, and the number amongst the hoipoloi is much smaller.

If we're generous, then say around a tenth of those 3000, so around 300 people are likely to have bought it. As calculated above, around 1200 people are interested in the Phaistos disk on the net, and the 300 people who are likely to have bought the book makes a quarter of that population. If a quarter of the population of any subject buys a book on that particular subject, then the book has done proportionally well. I don't know why JF is blaming you for his percieved poor sales, when he's proportionally doing quite well.

But only JF will know how well his book has sold.

Speaking in general, books are printed on a limited basis (probably around 1000 copies in the first print run for academic books) to begin with, as publishers tend to want to recoup their costs by monitoring the uptake with a limited run first. If the book doesn't sell, it doesn't get reprinted, as the demand for it is small. The costs of the book is absorbed by the publisher. In such a case, the author is likely to have already recieved an advance before the publication.

Unless the book is a vanity publication in which the author has footed the whole bill for all stages of it's production. In other words, he should sue you on the basis of what he has lost in costs of publishing his book instead, not visitors to some unnamed site.

- > *about ten percent of those authors did not buy Jean Faucounau's*
- > *book because of me, FG, and this means 1,870 people less have*
- > *bought Jean Faucounau's book. The price of a copy is 17.39 euro.*
- > *Jean Faucounau earns 7 percent for each copy. So the damage*

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- > amounts to 2,276 euro (7 percent of 17,39 euro x 1,870 authors),
- > or, based on the 5 November exchange rate, 3,487 Swiss francs.

Assuming his first and only print run is 1000 copies, and a quarter has been sold to those hard core Phaistos Disk enthusiasts, at 17.39 per copy of which he gets 7%, then the 750 copies which he has unsold nets him just over 912 euros. His asking for nine times this amount seems disproportionate to me.

As it seems he's revealed he's getting a percentage deal, then I assume he's already got an advance for his publication, and he's already been imbursed by his publisher for the sales he's had. Whatever loss in publishing the book is not demanded by the publisher of the author, and if anyone were to sue Franz on the poor sales of the book, it would be the publisher, but they usually absorb costs themselves. Look at all those bargain basement books with authors unknown. fit only for a bonfire. What a waste of trees.

- > 18,700 articles on the Phaistos Disk? Dr. Marcel Rochaix probably
- > means 18,700 entries, and those who publish on the Phaistos Disk
- > usually have more than just one page mentioning the Phaistos Disk
- > on their website. Moreover, Google counts also the quotes on link
- > pages, and so I guess those 18,700 entries represent a couple of
- > thousand authors only. Lets be generous and say: 3,000 authors.
- > These authors favorize their own interpretations of the Phaistos
- > Disk, or school of archaeology, and seek information on the work
- > of their rivals or their opponents online, or then perhaps in
- > a library, but they usually do not buy their rivals' books.

I couldn't agree more.

There may be other factors other than Franz as the contributing factor to the lack of uptake. For instance, (1) bad reviews by other reviewers, (2) small niche market, (3) unavailability in popular bookshops, (4) badly written etc...

Dyl.