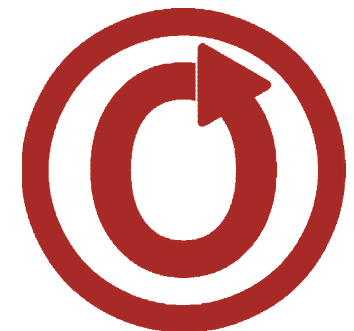




ORGANIZATION FOR TRANSFORMATIVE WORKS

ANNUAL REPORT 2009



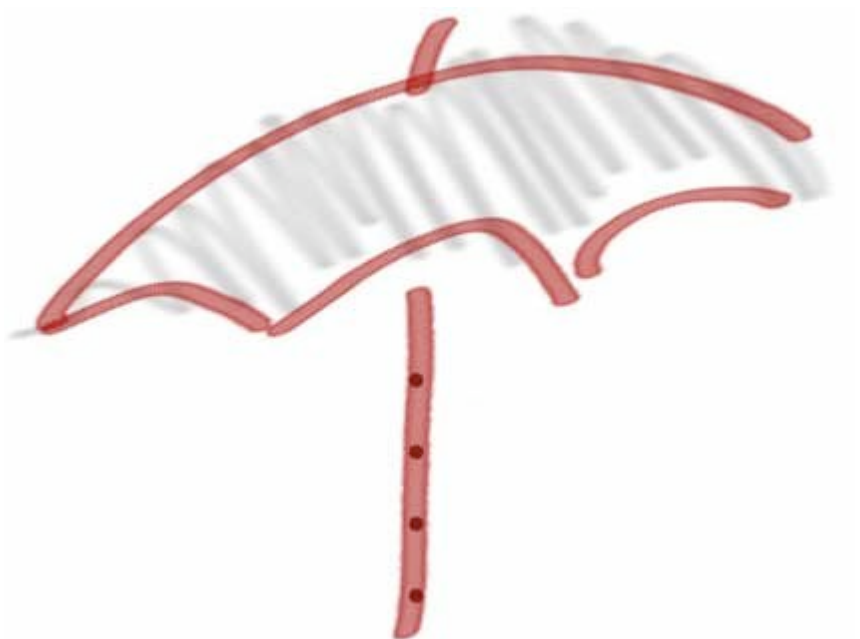


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ANNUAL REPORT FROM THE BOARD

Welcome to the Organization for Transformative Works' third annual report. 2009 was a big year for us. We took great strides toward our biggest dream: to have our fanworks hosted on servers controlled by fans, on software created for and by fans, and using fan-created policies. We are happy to report that all our projects are flourishing and - through the generosity of our members - we remain a financially secure organization.

Our flagship project - the Archive of Our Own - went from closed beta to open beta testing this year after we finally bought servers of our very own. The Archive of Our Own (AO3) is growing rapidly in both users and content: as of this writing, there are almost 6,000 users and we are hosting over 60,000 fanworks in 5,000 fandoms, including works in French, German, Spanish, Polish, Chinese, and Latin. We put out two more issues of our academic journal, Transformative Works and Cultures, and launched the Fan Culture Preservation Project in partnership with the Special Collections department of the libraries of the University of Iowa. Our wiki, Fanlore, now has over 10,000 articles edited by more than 1,700 users. We continue to collaborate with other organizations to challenge the commercial and legal restrictions that have a chilling effect on our transformative works.

On the following pages you will find more information about our work over the past year, as well as a copy of our financial statements for 2009.

It has been our best year yet, and we thank all of you - members, staff, donors, and volunteers - for making it happen.

Rachel Barenblat
Francesca Coppa
Sheila Lane
Allison Morris
Naomi Novik
Rebecca Tushnet
Elizabeth Yalkut

2009 YEAR IN REVIEW/FLYING ON WINGS OF OUR OWN

We are pleased to report that the OTW has met most of the goals set in our previous annual report.

The Archive of Our Own successfully moved into open beta near the end of 2009, just in time for the Yuletide fanfiction challenge to be hosted on our software. We purchased two shiny new Servers of Our Own and moved them into a colocation facility. We released two new issues of Transformative Works and Cultures (TWC) precisely on schedule. We also held two membership drives and raised in excess of \$38,000 over the course of the year, money which will allow us to grow our projects as well as sustain them over the long term.

We founded the Fan Culture Preservation Project with our partners at the University of Iowa to preserve analog fanworks such as zines, videocassettes, and memorabilia: already, this project has saved tens of thousands of zines. We also stepped up our advocacy work, testifying on behalf of vidders at the DMCA hearings at the Library of Congress and filing an amicus brief in the case of *Salinger v. Colting*.

In November 2009, following an uncontested election, we welcomed two new board members: Allison Morris, our former Webmasters chair and current Development chair, and Elizabeth Yalkut, continuing in her role of Abuse chair. We also said goodbye to two of our founding board members: Susan Gibel, our former Treasurer, and KellyAnn Bessa, who chaired Volunteers and was responsible for organizing and supporting OTW's fantastic all-volunteer staff.

TIMELINE

January

The OTW launches the Vidding History project page, which features a streaming version of our documentary, *Vidding* (2008), as well as a Test Suite of Fair Use Vids offered in support of the EFF's petition for a DMCA exemption for remix artists, such as vidders.

February

The OTW is chosen as the recipient charity for Escapade, one of the longest running slash conventions; OTW staffers run a "Fanlore Live!" panel to document oral histories. Members of the OTW's Vidding History project appear on NPR's *All Things Considered*.

March

Development launches OTW's first membership drive of 2009. Transformative Works and Cultures releases a special issue, "Games as Transformative Works," edited by Rebecca Carlson. Board member Naomi Novik appears on NPR to speak against DRM on ebooks. Board members Francesca Coppa and Rebecca Tushnet speak at Remix/Mashup and at the Columbia Journal of Law Gender Symposium.

April

The OTW co-sponsors the 6th annual IP/Gender Symposium at American University Washington College of Law on the theme of Female Fan Cultures and Intellectual Property. The symposium takes place on April 23-24, 2009.

TIMELINE, CONTINUED

May

We celebrate our unofficial two-year anniversary with a very busy month! OTW board members Rebecca Tushnet and Francesca Coppa and TWC review editor Tisha Turk testify at the DMCA Hearings on Noncommercial Remix at the Library of Congress in Washington, DC. The OTW Legal team helps fan artist Glockgal fight the closing of her online store by Viacom. The Wiki Committee launches a Fanlore community on Dreamwidth. The Archive of Our Own is noted as a "groundbreaking open source project" by the O'Reilly Radar. Rebecca Tushnet participates in MIT's Workshop on Intellectual Property Law and Open & User Innovation.

June

Open Doors launches the Fan Culture Preservation Project in partnership with the University of Iowa to preserve zines and other analog artifacts of fannish culture. The first major donation brokered by OTW is the Fanzine Archive, a collection of over 3,000 classic zines. Our Accessibility, Design, and Technology committee begins posting special "Archive Updates" about the Archive of Our Own as we enter the countdown to open beta! Members of the OTW speak at the Open Video Conference in NYC.

July

Open Doors launches the GeoCities Rescue project. TWC Editor Kristina Busse is the keynote speaker at Writercon 2009.

August

The OTW collaborates with the American Library Association, the Association of Research Libraries, the Association of College and Research Libraries, and the Right to Write Fund on an amicus brief in the case of *Salinger v. Colting*, which involved an unauthorized sequel to *The Catcher In The Rye*. The OTW was also featured in Kirrily Robert's keynote at OSCON, the O'Reilly Open Source Convention.

September

The OTW buys, racks, and powers up two shiny new servers of our very own! The third issue of *Transformative Works and Cultures* is released. The OTW formally responds to additional questions from the Copyright Office in reference to the proposed DMCA exemption for vidders and other remix artists. TWC's Kristina Busse edits a special issue of *Cinema Journal* on fandom and vidding.

October

OTW launches its second membership drive of 2009, the first to offer premiums. Board member Francesca Coppa is interviewed by publicknowledge.org and *Geek Feminism* about the OTW.

November

The Archive of Our Own goes into Open Beta! We add 493 accounts and 1,500 fanworks in the first eight hours, and reach thousands of users and tens of thousands of fanworks by the end of 2009 (4,331 users and 37,704 fanworks, to be precise!) This addition of users was done in a controlled way to performance-test the flexibility and scalability of our software. November is also election month, and we have our second election by acclamation, with two excellent candidates coming forward to fill our two available board seats. Welcome Allison and Elizabeth!

TIMELINE, CONTINUED

December

We end the year by hosting Yuletide - the famous holiday rare fandom fanfic exchange - on the Archive of Our Own for the first time. Yule-time brings us 1,566 new users, 1,188 new fandoms, and 8,012 new stories between December 18 - December 25, 2009, which necessitates seven new code pushes as the coders struggle to keep everything working. But all participants get a custom-made story on Christmas morning!

THE ARCHIVE OF OUR OWN: NEW FEATURES, 2009

- Tag wrangling interface
- Translations interface
- Administrative interface
- Bookmarks and recs
- Collections and challenges
- Batch uploading and importing
- Multi-chaptered story posting
- Improved users/pseud browsing
- ...and last but not least, our own servers! (See photo.)



BIGGER AND BETTER: GOALS FOR 2010

2009 was a groundbreaking year for the OTW, but we have so much more to do! Our goals for 2010 include:

- Front end redesign of the Archive of Our Own, including the ability for users to customize their experience via skins.
- Redesign--and vastly improved--Browse/Search functionality and the design and coding of the Subscriptions feature.
- Developing a versatile and flexible Challenge interface so that other large fan challenges can be run via the archive.
- Adding images to the Archive of Our Own and laying the groundwork for hosting vids and multimedia works.
- Formal launch of Open Doors - the gateway for importing struggling fan fiction archives to the Archive of Our Own.
- Continuing translation of the OTW's main web site and the AO3 while developing additional International Outreach.
- Bringing the Fanlore wiki out of beta.
- Releasing two more issues of our academic journal, Transformative Works and Cultures.

FINANCES/STATEMENT OF FINANCIAL POSITION

Organization for Transformative Works STATEMENT OF FINANCIAL POSITION: December 31, 2009

Assets		2008	2009
CURRENT ASSETS:			
Bank Accounts			
	Checking	15,252.15 USD	26,110.00 USD
	Paypal	3,340.54 USD	2,166.44
	Total Bank Accounts	18,592.69 USD	28,276.44
	Accounts Receivable		41.00 USD
	Total CURRENT ASSETS	18,592.69 USD	28,317.44
FIXED ASSETS			
	Machinery and Equipment		8,209.51 USD
	Total FIXED ASSETS		8,209.51 USD
OTHER ASSETS			
	Other Long-Term Assets		10,017.46 USD
	Total OTHER ASSETS		10,017.46 USD
	TOTAL ASSETS	18,592.69 USD	46,544.41 USD
Liabilities and Equity			
LIABILITIES		- USD	- USD
	Total Liabilities	- USD	- USD
EQUITY			
	Retained Earnings	6,617.38 USD	18,592.69 USD
	Net Income	11,975.31 USD	27,951.71 USD
	Total EQUITY	18,592.69 USD	46,544.40 USD
	TOTAL LIABILITIES AND EQUITY	18,592.69 USD	46,544.40 USD

FINANCES/STATEMENT OF ACTIVITIES

Organization for Transformative Works
STATEMENT OF ACTIVITIES
For the Year Ended December 31, 2009

	<i>Unrestricted</i>	<i>Temporarily Restricted</i>	<i>Total</i>
Support and Revenue			
Contributions and membership dues	40,245 USD	0 USD	40,245 USD
Foundation grants	0 USD	0 USD	0 USD
Special events	0 USD	0 USD	0 USD
In-kind donations	0 USD	0 USD	0 USD
<i>Total Support and Revenue</i>	40,245 USD	0 USD	40,245 USD
Expenses			
Bank Charges	85 USD	0 USD	85 USD
Fundraising	2,488 USD	0 USD	2,488 USD
Insurance	2,000 USD	0 USD	2,000 USD
Office/General Admin Expenses	1,579 USD	0 USD	1,579 USD
Other Miscellaneous Cost	380 USD	0 USD	380 USD
Project Management	1,272 USD	0 USD	1,272 USD
Systems Expenses	4,507 USD	0 USD	4,507 USD
<i>Total Expenses</i>	12,310 USD	0 USD	12,310 USD
Net Operating Income	27,934 USD	0 USD	27,934 USD
Other Income			
Interest Earned	17 USD	0 USD	17 USD
Net Income	27,952 USD	0 USD	27,952 USD
Change in Net Assets	27,952 USD	0 USD	27,952 USD
Net Assets, beginning of year	18,593 USD	0 USD	18,593 USD
Net Assets, end of year	46,544 USD	0 USD	46,544 USD

FINANCES/STATEMENT OF FUNCTIONAL EXPENSES

Organization for Transformative Works
STATEMENT OF FUNCTIONAL EXPENSES
For the Year Ended December 31, 2009

Expenses	<i>Accounting</i>	<i>Administrative</i>	<i>ADT</i>	<i>Fundraising</i>	<i>Journal</i>	<i>Systems</i>	TOTAL
Bank Charges	85 USD	- USD	- USD	- USD	- USD	- USD	85
Fundraising	- USD	- USD	- USD	2,890 USD	- USD	- USD	2,890
Insurance	- USD	2,000 USD	- USD	- USD	- USD	- USD	2,000
Office/General Admin	419 USD	469 USD	- USD	223 USD	65 USD	- USD	1,177
Other Misc Service Cost	- USD	- USD	- USD	- USD	380 USD	- USD	380
Project Management	- USD	1,176 USD	96 USD	- USD	- USD	- USD	1,272
Systems Expenses	- USD	- USD	- USD	- USD	- USD	4,507 USD	4,507
Total Expenses	504 USD	3,645 USD	96 USD	3,113 USD	445 USD	4,507 USD	12,310

FINANCES/NOTES TO FINANCIAL STATEMENTS

Organization for Transformative Works

NOTES TO FINANCIAL STATEMENTS

December 31, 2009

1. Organization and Summary of Significant Accounting Policies

Organization: The Organization for Transformative Works (OTW) is a 501(c)(3) nonprofit organization incorporated in Delaware. The OTW was established by fans to serve the interests of fans by providing access to and preserving the history of fanworks and fan culture in its myriad forms. The OTW is a collaborative effort initiated and driven by fans for fans.

Basis of Presentation: The accompanying financial statements are presented using the cash method of accounting.

Financial Statement Presentation: Information regarding the financial position and activities are classified into the applicable classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets. Currently, all assets are categorized as unrestricted. Furthermore, expenses are classified into program service expenses (currently, the creation of the fanworks archive, maintenance of the organization's Web site, publication of the on-line journal *Transformative Works and Cultures*, and maintenance of the organization's wiki, Fanlore) and support expenses. Support expenses are administrative and general, and fundraising expenses.

Cash and cash equivalents: The OTW maintains cash balances within federally insured limits. No cash equivalents are held by the organization.

Use of Estimates: The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

FINANCES/NOTES TO FINANCIAL STATEMENTS, CONTINUED

Contributions: The OTW recognizes all unconditional contributions received as income in the period received. Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support depending on the existence and/or nature of any donor restrictions. All contributions are considered to be available for unrestricted use unless specifically restricted by the donor.

Donated Services: The OTW does not assign a value to volunteer activities in the statement of activities. The in-kind donations included here included the payment of program and support costs.

Membership Dues — Membership dues are recognized as revenue based on the membership period covered by the member dues.

Functional Allocation of Expenses — The costs of providing the various programs and other activities of the organization have been summarized on a functional basis in the statement of activities. Accordingly, certain costs may have been allocated among the programs and supporting services benefited.

Income Taxes — The OTW is a 501(c)(3) organization exempt from Federal income and State franchise taxes under provisions of Section 501(c)(3) of the Internal Revenue Code and Section 1902(b)(6), Title 30 of the Delaware State Taxation Code respectively. As such, no provision for income taxes has been provided in these financial statements.

Concentration of Credit Risk — The OTW maintains its cash balances at one bank. Accounts at the bank are insured by Federal Deposit Insurance Corporation (FDIC) for up to \$100,000.



ABOUT THE OTW/MISSION

MISSION

The Organization for Transformative Works (OTW) is a nonprofit organization established by fans to serve the interests of fans by providing access to and preserving the history of fanworks and fan culture in its myriad forms. We believe that fanworks are transformative and that transformative works are legitimate.

The OTW represents a practice of transformative fanwork historically rooted in a primarily female culture. The OTW will preserve the record of that history as we pursue our mission while encouraging new and non-mainstream expressions of cultural identity within fandom.

Having established the OTW as an IRS-recognized nonprofit and created a sustainable infrastructure through board, committees, volunteers, and membership, we are now invested in strengthening and sustaining our core products. First and foremost, we continue to build the Archive of Our Own. While we have currently achieved open beta, many additional features in the roadmap have yet to be built. We must also bring Fanlore, our wiki of fannish culture, out of beta by strengthening its policies and organizational structure. We are immensely proud of the editors of our journal, Transformative Works and Cultures, who have put out three peer-reviewed issues on schedule, an achievement we must sustain. Last, we will continue our passionate advocacy as fans for fans, and to reach out to fans who make and enjoy fanworks all around the world.



ABOUT THE OTW/WHO WE ARE

The Organization for Transformative Works is run for fans by fans. The directors of OTW's board are all active in fandom, as are the more than 90 other people serving on seventeen committees.

BOARD OF DIRECTORS

NAOMI NOVIK, Board chair, is the New York Times-bestselling author of the award-winning Temeraire historical fantasy series, which has been translated into twenty-three languages and optioned as a film by director Peter Jackson. She has been active in online fandom since 1994, publishing stories and vids in more than forty-two fandoms and founding several fan-run institutions including a vidding convention and a cross-fandom story exchange. She created the open-source Automated Archive software.

RACHEL BARENBLAT is co-founder of Inkberry, a literary arts nonprofit organization whose mission is to help every writer find his or her own voice. She has also served on the boards of two other nonprofit organizations. The six years she spent running Inkberry gave her expertise in nonprofit management, grantwriting, and building membership - skills she's psyched to bring to the OTW board. A poet who blogs about issues of faith as "The Velveteen Rabbi" as well as an enthusiastic participant in online fandom since 1999, Rachel has a long commitment both to transformative works and to writing as a mode of personal transformation.

FRANCESCA COPPA, PhD, is director of film studies and associate professor of English at Muhlenberg College, where she teaches courses in dramatic literature, popular fiction, and mass media storytelling. Her writings on media fandom have been included in *Fan Fiction and Fan Communities in the Age of the Internet* and presented at MIT's Media in Transition conference. Coppa has been involved in online fandom since the mid-1990s as a writer, list administrator, vidder, archivist, and community moderator.

SHEILA LANE, Treasurer, has a master's degree in business management and is a licensed certified public accountant. She works as a corporate accountant for a worldwide brokerage company and has expertise in both individual and small business taxation. She has been involved in online fandom since 1994, going from a telnet BBS and 'zines to mailing lists and Livejournal. She has written in more than thirty fandoms, from *Alias* to *Witchblade*, and has moderated multiple mailing lists, communities, and challenges.

ALLISON MORRIS works in a public library as a public services supervisor and is passionate about fair use. A lifelong fan, she is particularly interested in fanworks that honor and transform other fanworks, including remixes, podfic, and recs. She is a prolific creator and advocate of podfic; she built and maintains the Audiofic Archive, which provides a stable home for a constantly growing collection of audio fanworks. She also moderates several ongoing challenges and communities, and goes to conventions when she can.

REBECCA TUSHNET, JD, is a professor at the Georgetown University Law Center. A graduate of Yale Law School, she clerked for Chief Judge Edward R. Becker of the Third Circuit Court of Appeals in Philadelphia and Associate Justice David H. Souter on the Supreme Court. She practiced intellectual property law at Debevoise & Plimpton before joining the NYU faculty, then moving to Georgetown. She has advised and represented several fanfiction sites in disputes with copyright and trademark owners and maintains a blog on intellectual property law at tushnet.blogspot.com. Tushnet has been active in online fandom since 1996.

ELIZABETH YALKUT is a student at Columbia University. She has worked in development, marketing, and strategy for nonprofit legal and theatre organizations, is a long-time ACLU volunteer, and currently works for the Educational Technology department at Barnard College. She also serves as the treasurer of the Columbia University Science Fiction Society.

ABOUT THE OTW/WHO WE ARE

EMERITUS BOARD MEMBERS

CATHY CUPITT, DCA (2007-2008) teaches writing and Shakespeare at the University of Western Australia and has a doctorate in creative arts from Curtin University of Technology. Her fiction has appeared in Australian magazines such as *Westerly* and *Borderlands*, and in 1997 she won the US\$20,000 first prize in Hyundai's 20th Anniversary World-wide Essay Contest. Since discovering fandom in 1988, Cupitt has written in nine fandoms, and she runs an active recommendations site. She has served on numerous fannish committees, including Australia's 2001 national SF convention, for which she was a co-convenor.

MICHELLE TEPPER, PhD (2007-2008) is an interaction designer and usability expert who helps companies create memorable and successful software, web sites, and digital devices. She has published influential essays about online community and social software, and she is the former web producer for *Lingua Franca* magazine. She holds a PhD in English from the University of Michigan. Pepper was one of the creators and designers of buffistas.org, a fan-built, fan-maintained site centered on *Buffy the Vampire Slayer*. The site has more than a thousand members and has been active for five years.

KELLYANN BESSA (2007-2009) has a BS in Management from Cardinal Stritch University, and currently works as a human resources consultant for an investment firm. She has been in fandom for nearly ten years as a writer, mailing list owner, community moderator, and webmaster. In addition to running several archives, she hosts and maintains websites for a number of fanfiction writers. She also works several hours a week at her local comic book store, and participates in the online feminist comic fan community.

SUSAN GIBEL, JD, (2007-2009) is a senior manager with the nonprofit Center for Effective Public Policy, Inc., where she focuses on national training and technical assistance initiatives related to domestic violence and offender reentry. She has worked with antiviolence organizations on issues of domestic violence and queer rights and holds a law degree from the University of Minnesota. Gibel has been involved in fandom since the mid-1970s, and currently writes in a handful of fandoms, primarily *Due South*.

ABOUT THE OTW/WHO WE ARE

COMMITTEES

Abuse

Accessibility, Design and Technology

Coders

Testers

Tag Wranglers

Communications

Content Policy

Development and Membership

Documentation

Financial

International Outreach

Translation

Journal

Legal

Open Doors

Support

Systems

Vidding History

Volunteers

Webmasters

Wiki