

Does radio want ASCAP data?

All-industry group may be ready to ask for same type of information court has approved for TV stations

A possibility that the All-Industry Radio Station Music License Committee will ask the court to require the American Society of Composers, Authors and Publishers to turn over intimate financial and music-use data was reported last week.

There was no official confirmation of the report, which circulated following a meeting of the all-industry radio group in Washington during the National Association of Broadcasters convention. The possibility seemed to gain validity as a potential tactic, however, since the U. S. Southern District Court in New York a few days before had granted substantial portions of a similar bid by the radio station committee's TV counterpart, the All-Industry Television Station Music License Committee (BROADCASTING, March 22).

In the TV case, Judge Sylvester J. Ryan held that certain data on ASCAP's income from television music

licenses and on the use and relative values of different kinds of music are needed in determining "reasonable" rates for the use of ASCAP music by TV stations.

He held that the question to be decided was the commercial worth of music used on TV programs, but limited the data to be furnished by ASCAP to that for the years 1959 to date—not 1949 to date, as the committee had requested. He also refused to require ASCAP to furnish similar material on media other than television.

The all-industry radio committee, like its TV counterpart, is seeking a court determination of "reasonable" rates for station use of ASCAP music and its case, like the TV case, is being heard by Judge Ryan.

The all-industry radio committee meeting, held Tuesday (March 23), was officially described only as having discussed matters dealing with station

relationships with the three leading music-licensing organizations, ASCAP, Broadcast Music Inc. and SESAC.

Those attending were Robert T. Mason, WMRN Marion, Ohio, chairman of the committee; Robert Enoch, WXLW Indianapolis; Elliott Sanger, WQXR New York; Herbert Evans, WRFD Worthington-Columbus, Ohio; Robert Arnold, Time-Life Broadcast; George W. Armstrong, Storz Broadcasting, and Emanuel Dannett of the New York law firm of McGoldrick, Dannett, Horowitz & Golub, counsel to the committee.

TV confident in music fight

Convention delegates get briefing on court battle with ASCAP

The All-Industry Television Station Music License Committee reviewed developments in its rate-making lawsuit against the American Society of Composers, Authors and Publishers last week and then voted unanimously to pursue it "to the end, full steam ahead."

Charles Tower of Corinthian Broadcasting, committee chairman, told the NAB convention television assembly Wednesday morning that the committee considered its prospects stronger now than at any time since it started the litigation more than four years ago.

Mr. Tower also reported that the committee treasury, made up of fees paid by the approximately 365 TV stations represented by the committee, currently appears adequate to carry it through.

The committee meeting, held Tuesday afternoon, reviewed the group's unsuccessful efforts to get a new form of ASCAP license that would free stations from the need to pay ASCAP for music used in future syndicated films or motion pictures; traced the opening of the current suit asking the court to determine what a "reasonable" ASCAP music rate would be, and stressed the court's recent ruling, in response to a committee motion, that ASCAP must turn over data on its television revenues, the use of its music on TV and data dealing with the relative values of different kinds of music (BROADCASTING, March 22).

One Win, One Loss — The court denied the committee's request for material from the ASCAP files dealing with other media but granted its bid

Advertisement

Advertisement



VIRNA LISI

ON THE RUN is luscious Virna Lisi in a great feature motion picture "The Spy I Love." Virna adds beauty to the suspense filled story of international intrigue. An atomic device is captured and death rides a sports car from Paris to Monte Carlo in "The Spy I Love", one of eleven films offered for television for the first time in "The Super-Spy Action Group." Four Star Distribution Corp.