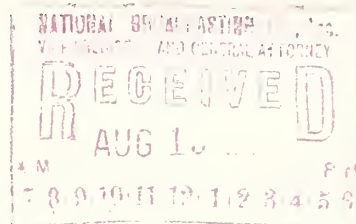
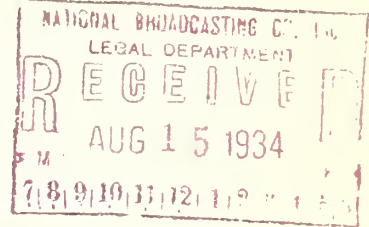


# HEINL RADIO BUSINESS LETTER

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No. 749.

*[Handwritten initials: JWP, JPH, and a large '2']*

August 14, 1934.

## BROADCASTERS PRESIDENCY CAUSES CONSIDERABLE SPECULATION

Up to this time the election of the president and officers of the National Association of Broadcasters has usually been pretty well agreed upon ahead of the meeting but at the Cincinnati Convention, September 17th, the situation will be different. First because it will be the first election to be held under the new by-laws of the Association, and second, because thus far no president has served more than two terms and Alfred J. ("Hollywood") McCosker of WOR, Newark, is serving his second term. There is nothing in the by-laws that would prevent a president from serving as many times as the members desire to elect him.

Nevertheless there is already considerable speculation as to whether or not "Hollywood" who has been a popular president, and doubtless could be re-elected for a third term, will "choose to run."

Under the new by-laws the president will appoint a nominating committee as usual but in addition to whoever this committee nominates, the name of any other members may be placed in nomination, if signed by 10 members of the association.

Thus four or five tickets might easily be placed in the field. Certainly the new by-laws offer an opportunity to interject politics into the election of officers. Besides Mr. McCosker the names of Leo Fitzpatrick of WJR, Detroit, First Vice President of the Association, and John Shepard, 3rd, of WNAC, Boston, Second Vice President have been mentioned. Also that of Powel Crosley, Jr., of Cincinnati, but it was said in other quarters that because of his many interests Mr. Crosley probably would not consider serving. The opinion was ventured that no executive of either the N.B.C. or Columbia would be apt to run, the supposition being that anyone so closely affiliated with either of the major networks might meet with opposition.

The name of Judge Ewin Davis, now a member of the Federal Trade Commission, has been added to the speakers list at the Cincinnati Convention next month. Judge Davis, who as a member of Congress, helped draft the original Radio Act,

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and was the author of the famous Davis amendment providing an equal distribution of radio facilities, will tell the broadcasters what the plans of the Federal Trade Commission are with regard to false and misleading advertising as it relates to radio.

Those who happened to hear the straight-from-the-shoulder talk Judge Davis made to the advertising agents with regard to radio in Washington several years ago will no doubt look forward to what he will have to say in Cincinnati.

Judge Davis, a southern type of statesman, on the old Champ Clark order, though an excellent speaker, is seldom heard from but when he speaks usually talks to considerable length and puts much time and thought in what he has to say. It will have added importance at this time due to the fact that eventually Judge Davis will become chairman of the Commission.

Senator Clarence C. Dill, of Washington will also be among the speakers at Cincinnati.

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#### DEALERS CHARGED WITH MISUSE OF "MARCONI" AND "EDISON" NAMES

Unauthorized and wrongful appropriation of the names "Edison" and "Marconi" applied to radio sets manufactured or assembled and sold by them, is charged by the Federal Trade Commission in a formal complaint issued against Marconi Radio Corporation and Edison Radio Stores, Inc., doing business at 67 West 125th Street, New York.

The complaint charges the respondents with adopting and following the scheme of appropriating the names of well-known manufacturers, and applying them to radio sets manufactured or assembled and sold by them and thereby appropriating to themselves the good will of such well-known manufacturers, all in violation of the Federal Trade Commission Act, making unlawful unfair methods of competition in interstate commerce.

Joseph Frank is president of Edison Radio Stores, Inc., and controls both concerns. Referring to the use of the name "Edison" by the respondents, the Commission's complaint says:

"Among the companies organized and controlled by the said Thomas A. Edison before his death, is Thomas A. Edison, Inc. which said company is still engaged in the manufacturing of



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many of the machines and articles invented and developed by Thomas A. Edison. Thomas A. Edison., during the years 1928 to 1930, inclusive, manufactured and sold radio sets valued at many millions of dollars, and during the said period spent several millions of dollars in advertising its said radio products. All of the radio sets manufactured and sold by Thomas A. Edison, Inc., featured the name 'Edison' as part of their brand name."

The complaint charges that the respondents, Marconi Radio Corporation and Edison Radio Stores, Inc., have placed on radio sets sold by them escutcheon plates bearing the name "Edison" in large letters, followed by the words "Radio Stores, Inc." in small letters not readily seen by prospective purchasers. The respondents, the complaint avers, have no authority or license to use the name "Edison" on their radio sets and such use tends to and does mislead and deceive the trade and purchasing public into the erroneous belief that their sets have been manufactured by Thomas A. Edison, Inc. Such practices are asserted in the complaint to be false, deceptive and misleading and tend to divert trade to the respondents from their competitors who do not employ false, deceptive and misleading practices.

The respondents are given until September 14th next in which to make answer to the charges.

Two additional similar complaints were subsequently issued by the Trade Commission. The respondents are the Temple Electric Corporation, of 80 Cortlandt Street New York City, and Jack D. Mendelson, trading under the firm name of Metro Manufacturing Company 2052 80th Street, Brooklyn.

In both complaints, the respondents are charged with using the name "Edison" on the name plates of their radios, conveying the implication to the trade and to the purchasing public that the sets were manufactured by the Thomas A. Edison Company.

In the complaint against the Temple Electric Corp. the respondent is also charged with unfairly and improperly using the names "Victor" and "Brunswick". It is held in the case of the use of the name "Victor" that this carries the implication that the radio is the product of the R.C.A. Victor Company, while the use of the name "Brunswick" is claimed to be an unfair simulation of the name "Brunswick", a radio formerly produced by the Brunswick-Balke-Collender Company and now manufactured by the radio and phonograph division of Warner Brothers Pictures, Inc., which organized a corporation under the name of Brunswick Radio Corporation and purchased the radio business of the Brunswick-Balke-Collender Co.



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In the case of Mandelson, that respondent is charged with unfairly simulating the names "Brunswick" as well as wrongfully using the name "Edison" in the sale of his products.

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#### MANUFACTURERS CODE DECISION NOT EXPECTED SOON

A decision as to whether or not the radio manufacturers will be permitted to operate under a code of their own is not expected to be made until about the end of the month. At this time manufacturers are operating under the electrical code but at a hearing recently advance strong arguments in favor of a code of their own.

The National Electrical Manufacturers Association strongly opposed the application for a separate code for radio. Capt. William Sparks, of Jackson, Mich., chairman of the Code Committee of the Radio Manufacturers Association, Bond Geddes and others put up strong arguments in favor of the radio industry going ahead under "its own steam."

Numerous conferences have since been held with Government officials and the opinion has been expressed that the radio manufacturers will probably gain their point. If not, the fight will doubtless be continued because the radio manufacturers feel that their industry is too large and too important to be "lumped in with N.E.M.A."

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#### COMMISSION ALLOWS INTERLOCKING DIRECTORATES MORE TIME

The principal business transacted at the meeting of the Communications Commission, attended by the full membership, last Monday was extending the time of the present interlocking directorates for 90 days, to give the Commission time to lookk into the matter further. The new law says it shall be unlawful for any person to hold the position of officer or director of more than one carrier subject to the Communications Act unless such holding shall have been authorized by the Commission upon due showing that neither public nor private interests will be adversely affected thereby.

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Also personnel matters were discussed but no decisions were reached with regard to principal assistants which cause one observer to remark, "I guess Farley hasn't had time to get around to the Communications Commission yet."

Another meeting of the entire Commission will be held next Monday August 20th.

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#### NEW BRITISH STATION PROMISES NATION-WIDE COVERAGE

It is expected that the B.B.C.'s new giant station at Droitwich will attain for the first time in British broadcasting history nation-wide coverage. According to reports reaching the United States, the Droitwich station will be five times as powerful as the present 5XX at Daventry.

Records at the Communications Commission in Washington list Daventry's power at 20,000 watts which would mean that the power of Droitwich will be somewhere around 100,000 watts. This isn't anything like WWL, operating with 500,000 watts at Cincinnati, but is pretty high power for Europe.

The new station has two 700 foot masts. Droitwich is near Birmingham which is about 100 miles northeast of London.

"Those living in and around our big cities, where two programmes are now obtainable even with a simple wireless set, may find it difficult to believe that over 3,000,000 people in the north of England, north of Scotland and other parts of the country, at present get only a most miserable wireless service and, in some outlying places practically none at all unless an expensive receiver is installed." a British writer comments.

"Noel Ashbridge, the B.B.C.'s Chief Engineer, stated recently that when the new broadcast distribution scheme in Great Britain is complete - this involves improvements in the Regional service in addition to the opening of Droitwich - 98 per cent of the population will receive one programme well and 85 per cent will enjoy reasonably good reception of two programmes."

"Reception of our National programme on the Continent will be decidedly better than at present. This aspect of the matter is important, for it is obvious that radio is as potent an instrument of war as of peace."

"Should another conflict occur, there will be no more 'news for home consumption', no possible concealment of losses, no exaggeration of victories. Europe's radio giants will broadcast the news direct, unfettered by censorship.

"We have at last awakened to the necessity for preparedness in the air; now we need to realize fully the value of preparedness in the ether. Almost every month we hear of new super-powered broadcasting stations being erected in other countries."

Briefly, the change now contemplated is that the National programme will be given to the whole of England, Wales, Scotland and Northern Ireland by one station - Droitwich - and the present London, North, West and Daventry National transmitters are to be closed.

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#### WILE, JR., RADIO PUBLICIST FOR NEW YORK AGENCY

The Young and Rubicam Agency in New York have secured the services of Frederick William Wile, Jr., to develop their radio publicity.

Young and Rubicam have many radio accounts.

Mr. Wile, Jr., gained his knowledge of radio publicity by serving a considerable time in important positions in the press department of the Columbia Broadcasting System in New York. He previously made an excellent record for himself in Princeton University. After graduation he was Secretary to the American Ambassador to Italy, John W. Garrett.

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#### CORRECTING A CORRECTION

In reprinting a letter from Arch McDonald, WJSV announcer, to correct an erroneous impression created by an anonymous letter written to Mr. McDonald we quoted him as saying "I have been adverse to criticism," when it should have been "I have never been adverse to criticism and have always read letters of criticism over the air and have tried to benefit by suggestions offered."

We regret the error and trust it has not caused Mr. McDonald additional embarrassment.

Mr. McDonald was signally honored by an "Arch McDonald Day" recently, as part of a celebration at his old home in Chattanooga, in connection with the Chattanooga Baseball Team skyrocketing from 8th to 2nd place in the League.

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Evidently Senator Dill, of Washington living up to his announcement that he would not run again for the Senate, did not file, August 11th, the last day the candidates had to announce their intentions.

If he did, several correspondents of Washington state papers of whom inquiry was made, were unaware of the fact. So it looks as if Senator Dill was finally out of it.

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George B. Storer, president of the American Broadcasting System escorted a party of distinguished visitors into the master control room of WMCA last week to hear the network speech on charter reform from New York City by former Governor Alfred E. Smith. Asking the operator on duty his name, Mr. Storer formerly introduced Lee Gardner as his guest.

When the introductions were completed, Gardner, wary of gate crashers, turned to his boss. "And now", he inquired, "may I ask your name?"

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J. R. Poppele, chief engineer of WOR, in connection with the construction of the station's new 50,000 watt transmitter, has visited all the stations in the East that operate with that power. WOR's cooling system pool, used for keeping the tubes from burning up, will be in two sections. In his recent visit to WLW Mr. Poppele said he learned that the station was off the air for six hours while the single pool was being cleaned and refilled.

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"Among the many courses given in the East Side Continuation School, at 43 Oak Street, New York City are classes in radio and electrical wiring." writes Arthur Burnham, of that institution, which is a part of the New York Public school system. "We are anxious to obtain additional equipment for the students. We wonder if the manufacturers and broadcasters will send us discarded radio and electrical equipment of any kind; for example, radio sets, transformers, generators etc. As these materials are not furnished by the Board of Education, our best means of obtaining them is an appeal to the public, which has readily responded in previous years."

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## FISHER GOES TO GARY'S OLD LAW FIRM

Ben S. Fisher, Assistant General Counsel of the Communications Commission resigning and joining the law firm of Ellis, Ferguson and Houghton in Washington exchanged places with Hampson Gary who recently resigned from that firm to accept the Commissionship.

Mr. Fisher has been with the Commission about four years. His efforts were said to have been responsible for the shutting down of 175 unlicensed stations. Out of the 35 criminal cases prosecuted, he is credited with 32 convicted or pleading guilty.

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## IRISH RADIO DEMAND INCREASES 70 PERCENT IN TWO YEARS

Radio is making progress in the Irish Free State, according to a report from Vice Consul Edwin J. King, Dublin.

Imports of radio sets and parts into the Free State in 1933 were valued at £226,000 against £136,894 in 1932 and £132,275 in 1931. Considering the steadiness with which radio price levels have been falling, the report points out, it can easily be seen that the radio "idea" is taking hold. The value of imports as shown above has increased more than 70 percent during the last two years.

On May 31 of the current year the number of receiving sets in use in the Free State was 52,100 compared with 45,000 on December 31, 1933. One American set, which is completely assembled in the country, leads all others in sales. Several other American makes, however, are also meeting with favor.

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## CANADIAN ADVISORY COMMITTEE RECOMMENDS ADVERTISING LATITUDE

Considerable misunderstanding of the status of the Canadian Commission has occurred in the United States. This misunderstanding was probably due to the appointment of a special committee which was commissioned to "inquire into and report upon the operations of the Commission, under the Canadian Radio Broadcasting Act, as amended at the last session of Parliament."

The functions of the special committee were merely advisory. The question was raised as to whether the committee thought that the law as to advertising content should be abandoned. The chairman of the committee was emphatic in his opposition to such change, stating that the committee merely intended to suggest a little more latitude in the manner of its enforcement. The Parliament ignored the suggestion of the committee that the Commission appoint a general manager

A verbatim report of the special committee on radio follows:

Your committee held twenty sessions and heard 37 witnesses, including 5 Members of Parliament, and, after reviewing the evidence, it has been made apparent to your committee that the establishing of national broadcasting in Canada presents many difficulties, for the correction of which time, experience, and large expenditure of public money will be necessary.

Your committee therefore recommends:

1. That in view of evidence given before this committee, the Government should, during the recess, consider the advisability of amending the Act, with a view to securing better broadcasting facilities throughout the Dominion. In the opinion of your committee, radio broadcasting could best be conducted by a general manager.

2. That the collection of the fees for radio licenses should be simplified and that one license fee should cover only one receivingset.

3. That the provision of the Act dealing with advertising should be more liberally interpreted.

4. That greater use of electrical transcription be permitted.

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#### DECISIONS OF THE FEDERAL RADIO COMMISSION

##### Applications Granted . (Broadcast Division)

KIEM Harold H. Hanseth, Eureka, Cal. Granted consent to Vol Assign, of Lic. to Redwood Broadcasting Co Inc. WNAX The House of Gurney, Inc. Yankton, S.D. Granted renewal of Lic 570 kc 1 KW night, 2½ KW LS Unltd Also granted renewal for auxilliary transmitter. WAAF Drovers Jurnal Publishing Co., Chicago, Ill Granted renewal of lic 920 kc 500 w. Daytime. KMLB Liner's Broadcasting Sta Inc Monroe, La. granted Mod of CP extending completion date to Sept 1, 34. WDRC WDRC, Inc Hartford, Conn. Granted Mod. of CP extending completion date from Aug 27 to Sept 27/34. WTCN Minn Broadcasting Corp, Minneapolis, Minn. Granted Mod. of CP extending completion date from Sept 1 to Dec 1. 34. KGEK Elmer C. Boehler, Yuma, Colo. granted CP to move transmitter and studio from Yuma to Sterling, Colo and make minor changes in equipment. KOIN Koin, Inc. Portland, Ore. granted Mod. of CP to make changes in eqpt. and extend commencement date from Sept 15 to Dec 14/34.



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CREDIT LINE OF COMMUNICATIONS COMMISSION DELETED

Doubtless listeners will be relieved to learn that they will no longer have to listen to the trite line, "This station is operated by authority of the Federal Radio Commission."

This was revealed through the following order issued to all broadcasting stations last Tuesday, August 7th, which read:

"TO ALL BROADCASTING STATIONS: A number of inquiries have been received by the Commission as to whether stations must make announcements at the beginning and end of the day's announcement that 'this station is broadcasting on \_\_\_ kilocycles under the authority of the Federal Communications Commission.'

Attention is invited to the fact that this provision was omitted from the revised Rules and Regulations of the Commission effective February 1, 1932, and this announcement has not been required since that date."

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NEW ENGLAND STATION EXPERIMENTAL LICENSES EXTENDED

The following action was taken by the Radio Division:

WJAR The Outlet Company, granted Ext. of Spec. temp. Exp. auth to operate with additional 250 watts power during nighttime for period beginning 3 AM, EST, Sept 1, and ending not later than March 1, 1935, subject to withdrawal or termination by the Commission, without prior notice or hearing in event objectionable interference is caused.

WEAN Shepard Broadcasting Service, Inc. Providence, L.I. granted Ext of Spec. Auth to operate with additional 250 watts power during nighttime for period Sept 1 to March 1/35.

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### Set For Hearing

WEHC Community Broadcasting Corp. Charlottesville, Va. CP to make changes in equipment; change freq. power and hours from 1330 kc, 500 watts, daytime to 1420 kc. 100 w. night, 250 w. LS, Unltd time. NEW The Evening News Assn, Detroit, Mich. granted CP (Temp Broadcast pickup) 2150 kc 50 watts. NEW Harold Rieth Goshen, Ind. CP (Gen. Exp) 1614 3492.5 4797.5, 6425, kc. 30 watts (For visual broadcasting)

### Miscellaneous

NEW H.E. Studebaker, Appl. for C.P. to erect new station to operate on 1420 kc, 100 watts, reinstated on hearing docket. WIXBS American-Republican Inc Waterbury, Conn. granted Mod of CP extending completion date from Sept 11 to Nov 11/34. KSD The Pulitzer Publishing Co. St Louis, Mo. granted Mod of CP extending commencement date of Aug 30/34 and completion date to Nov 29/34 Also dismissed without prejudice, special exp. auth to increase night power from 500 w to 1 KW

### Applications Received (Telegraph Division)

KIEC Karl Hansen, Port Alexander, Alaska Lic to cover CP for Pt to Pt Tel sta. 2994 kc 50 w  
KGXW Karl Hansen, Port Alexander, Alaska, Lic to cover CP for Coastal Tel station. 460, 500 kc 200 watts. W6XEE  
Thomas L. Pettigrew, Compton, Calif. Lic to cover CP for Gen'l Exp station. 100000 to 300000, 600000 kc 75 watts. WNEJ  
Lic to cover CP for Pt to Pt Teleg station. Muirkirk, Md 4190 5230 kc 2 KW.

NEW Paul D. Langrick trading as LANGRICK RADIO ENGINEERING SERVICE portable C.P. for new General Exp. station. 1614, 2398, 3192.5, 4797.5, 6425, 8655, 12862.5, 17310, 23100, 25700, 26000, 27100, 30100, 31100, 33100, 34600, 35600, 37100, 37600, 38600, 40100, 40600, 41000, 86000 to 400000, 401000 kc and above.

### NBC NEW ACCOUNTS

New-Wheatena Corp-Pacific Coast Agency Albright and McKee 1300 South Penn Sq Phila, Pa. Starts Aug 27, 1934.

New-Simmons Co (Beds and Mattresses) Chicago, Ill. Fletcher and Ellis; starts September 4, 1934 Network WJZ WBZ WBZA WBAL WMAL WSYR WHAM KDKA WJR WCKY WENR-WLS KWK KWCR KOIL WREN; Program Mrs Franklin D. Roosevelt and Josef Koestner's Orchestra."