

# ( N. A. E. B. NEWS LETTER )

Office of Executive Secretary  
University of Illinois  
Urbana, Illinois  
July 1, 1938

## HERE'S SOMETHING FOR YOU TO DO.

This is a request for help from some of the NAEB members and a reminder for others.

1. Have you voted yet? Remember the fall meeting will be held with Sulzer at the University of Kentucky or with Williams at Purdue University. Also send in your suggestion for dates in keeping with questionnaire mailed you recently.
2. If you have not already sent me a list of names of those persons who have gone into commercial radio through your station, please do so at once. The list is needed by July 15. Also, because your secretary will be on vacation, please send a carbon copy of the list to S. Howard Evans, Secretary, National Committee on Education by Radio, One Madison Avenue, New York. Howard and President Crane want such a list pronto. Those names already sent to me, have been forwarded.
3. What suggestions do you have for fall meeting? What topics should be discussed? What speakers would you like to hear? How much formal talking? How much group discussion of NAEB problems? Let's have them at once.
4. What is your station doing now? What are your plans for fall? Why haven't you sent me dope for the News Letter? Why haven't you sent me dope for the NAEB packet? Why?
5. The next issue will be as of August 1.

## ATTEND MIDWEST SCHOOL-BROADCAST CONFERENCE

NAEB President Carl Menzer and Professor Bruce Mahan of WSUI and Joe Wright of WILL attended the Midwest School-Broadcast Conference which was held in Chicago June 18 and 19 under the auspices of the Chicago Schools Radio Council.

## WASHINGTON DOPE IN A NUTSHELL

The situation in Washington ended with the adjournment of Congress about as follows:

The White Resolution in the Senate was brought up for discussion in the closing days of the session. Two senators objected to its consideration. The evidence was that long debate would be required before the vote could have been had and so the entire resolution was allowed to die.

In the House, hearings were held by the Rules Committee to decide whether or not to let the House vote on the question of an investigation. The hearings were extended and considerable personal bitterness developed. However, the Rules Committee voted for the bill and brought it up in the House. It was defeated by a vote of more than two to one. The interesting thing is that every conceivable pressure from the White House was brought to bear to defeat the resolution. The pressure was so

strong that MacFarlane, one of the three advocates of the measure, found himself in a position, where to secure the presidential support which he felt essential to his re-election to Congress, he had to vote against the measure.

The situation then is clear in certain respects. There will not be any congressional investigation so long as the present administration is in power. There is, of course, to be the investigation of monopoly by the FCC itself and supposedly the congressional committee investigation of the subject of monopoly in all industries will pay some attention to radio. However, none of these is apt to be thorough enough to propose any constructive changes in the present broadcasting setup.

NAEB members surely are aware that the Havana Treaty has been accepted by the Senate and that in accordance with its provisions the reallocations of facilities within the regular broadcast band is certain to take place, perhaps not immediately, but within the next year or so. This means that educational stations who are going to make application for a better position ought to get those applications in just as soon as possible.

#### LEGAL PROTECTION FOR RADIO PROGRAMS

By Professor Fredrick S. Siebert, J. D.  
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The author, sponsor, or other interested party frequently has occasion to attempt to protect a particular program from piracy by other sponsors or radio stations. How can such protection be acquired under the existing statutes? The Federal copyright statute does not list radio programs or continuity as one of the types of material which are copyrightable. However, there is a sufficient similarity between a radio program and certain of the classifications listed in the statute to make it possible to obtain copyright protection. The two applicable classifications are "dramatic work" and "musical compositions." A radio program presents elements of similarity to both of these and the protection sought is the same in each case. What the radio writer wishes to protect is the unauthorized presentation of his program. The playwright and composer seek the same protection.

To obtain copyright protection the author of a radio program or continuity should have it typewritten in the form in which it is to be presented over the air. Two typescripts should then be mailed to the Register of Copyrights, Washington, D.C. This registration establishes the writer's ownership of the program and affords him a basis for contesting any other claims.

Such copyrighting of a continuity, however, does not prohibit a competitor from duplicating the central idea of the program. Neither the actual phraseology nor the organization can be duplicated by another writer, but the central idea is not protected by copyright. The only protection for such an idea would be on the ground of unfair competition where one radio writer so duplicated the form of continuity as to confuse the listeners as to the authorship. The title of a program, although not copyrightable under the Federal act, can be protected by registration as a trademark. This registration establishes the registrant's prior ownership.

#### KFUF ENCOURAGES LEAGUE MEMBERS

In the GOSPEL VOICE of KFUF for July announcement is made of coin banks which hold \$5, namely 10 nickels, 15 dimes, and 12 quarters, which will be sent listeners upon request. Filled and sent in, they create memberships in the KFUF League for one year.

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