

Exchange, Los Angeles, through Factor-Breyer, same city; KHJ-TV *Baseball Warm Up*, yet unsold; and *Scoreboard*, *Knothole Gang* and *Dugout Interviews*, KSAN-TV San Francisco, no sponsors reported.

Lucky Lager Brewing Co., San Francisco, through McCann-Erickson, same city, looms as largest radio-tv baseball advertiser on Pacific Coast, with a reported budget around \$500,000, supposedly equal to last year's. Besides one-third sponsorship of weekday Oakland Oaks games on KSAN-TV San Francisco, Lucky Lager will support most of KXL Oakland Oak game broadcasts, KMPC Hollywood Los Angeles Angels, KFBK Sacramento Solons, KWJJ Portland Beavers and KSDO San Diego Padres (last with Franco-American Bakeries, San Diego, through W. E. Long Co., Chicago, and Ford Dealers Assn. of San Diego, through J. Walter Thompson Co., Los Angeles.)

In addition, Lucky Lager will co-sponsor daily re-creations of major league games on KMPC Hollywood, KYA San Francisco, KOL Seattle, KPOA Honolulu and KILA Hilo, Hawaii, and is reportedly seeking more stations for such programs.

KYA enters its fifth year of re-created major league games. Jock Fernhead, KYA general manager, confirmed that 10 major league teams have entered into agreements for broadcasting of both day and night games on the station, with negotiations underway to carry games of other clubs. KYA and Chicago Cubs recently made an out-of-court settlement of minor disagreement in the 1953 contract (see story below).

Other baseball sponsors include Seven-Up Bottling Co. of Los Angeles, through Mogge-Privett Inc., same city, KFVB Hollywood Stars games; and Sicks' Seattle Brewing and Malting Co. (Rainier Beer), Seattle, through Miller & Co., same city, taking first half of season KSFO San Francisco Seals games and optioning co-sponsorship of second half, with guaranteed continued full sponsorship if no other advertiser appears.

KTVQ (TV) Oklahoma City will carry two games of the local club each week. Some 60,000 tickets were to be sold before the season started as protection to the club but sales fell below that total. Sponsoring the KTVQ games are Thrift-T-Wise food store, with narration by Jack Sherman, KTVQ sports director.

WHHM Memphis will carry 136 games of the Yankees, Dodgers and Giants under sponsorship of Nat Buring Packing Co., a \$40,000 package signed by Cecil K. Beaver, WHHM vice president and general manager. George Mooney will handle re-creation.

Half the Cleveland Indians schedule will be sponsored on WBBW Youngstown, Ohio, by Century Foods Markets, with the other half sponsored by other local and national accounts.

WQXI Atlanta has exclusive rights to Cracker games. The station has sponsored MBS games daily for three years.

Consent Decree Settles Cubs-KYA Difference

A CONSENT decree acknowledging the right of the Chicago Cubs professional baseball team to control the broadcast of its home games—including re-creation broadcasts—was signed last week by KYA San Francisco.

The decree was signed in a suit brought by the Cubs and Mutual charging KYA broadcast re-creations of Cubs games in 1952 and 1953 without the Cubs' permission. A judgment for \$5,000 damages also was entered

against KYA. (KYA reported last week the Cubs were among major league clubs signing for station broadcasts this season. See preceding story.)

The case was brought in the U. S. District Court for the Northern District of California, Southern Division. Mutual carries Cubs games, along with those of other major league teams, as part of its *Game of the Day* series, under agreements with the teams involved.

Under the consent judgment in the KYA case, which Mutual hailed as "a significant victory" in the battle against "unauthorized broadcasting of baseball games," KYA is forbidden to broadcast without the Cubs' written permission any details of any home games of the Cubs other than "the score at the end of each half inning, team batteries and home runs."

The same applies to re-creations, and KYA also is barred from furnishing such information to others, and from getting it from others, without the team's consent.

Further Restrictions

The decree also enjoins KYA "from advertising, asserting or intimating, expressly or otherwise, that defendant KYA does or will have the right to furnish, transmit, communicate or broadcast any report, description, account or re-creation of any home game of the plaintiff Chicago club, without written authorization of the Cubs, which contains or consists of more than the score at the end of each half inning, team batteries, and home runs."

The station also is barred "from intercepting, converting or otherwise appropriating and using or disposing of for profit any radio or television broadcasts authorized, made, distributed, produced or sponsored by either of the plaintiffs without written permission. . . ."

The injunction was signed by Federal Judge Louis E. Goodman.



CONTRACT for the largest single schedule ever carried on WGR Buffalo is arranged by Jerry Bess (seated), vice president of Frank P. Sawdon Advertising Agency, and Nat L. Cohen, WGR vice president in charge of sales. Details and plans for the schedule in support of the simultaneous opening of five new Robert Hall Clothes stores in Buffalo was worked out by Don Frost of Free & Peters, WGR national representative. Other Robert Hall spot announcements schedules will be carried on WBEN, WEBR and WBNY, all Buffalo.

Newman Agency Offers Billboard-Radio Trade

Los Angeles adman gives stations space on his billboards, the stations give him time, and he sells the time to a client.

RADIO time for billboard space is the latest trade gimmick of Ben Allah Newman, Los Angeles advertising man. In the Los Angeles advertising scene for over 30 years, Mr. Newman has dealt with many local stations, and they emphasize they consider his operation ethical.

In the current deal, Mr. Newman owns and controls a number of billboards in the Greater Los Angeles area. He exchanges billboard space with stations for time, which in turn he sells to his clients, either for cash, or for real estate, merchandise or anything of value, B•T learned.

Radio time is not the only media which the Ben Allah Newman Advertising Service seeks. At least two Los Angeles newspapers have exchanged space for space, and the classified advertisement has appeared in their columns, "Radio advertising for trade for what of value? Call —."

Stations dealing with Mr. Newman emphasize they have complete copy control. He acts only as an agent to line up clients for allotted radio time. One station executive declared, "There's nothing wrong with his copy."

Sign Directly

Furthermore, time contracts are signed directly between the independents and Mr. Newman's clients, they point out, allowing stations one more control over advertising content.

Mr. Newman's clients include automobile dealers, building contractors, real estate developments, hotels and resorts. In the past, he has dealt extensively with time bills, exchanging them for radio time, another station man revealed. At least one station used them to entertain sponsors at a Mexican resort.

At present two stations, KFVB Hollywood and KWKW Pasadena, are engaged in the billboard operation, although Mr. Newman trades elsewhere as he develops deals. Asked the extent of his billing, Mr. Newman refused to divulge the information. However, one station reported it had made "some \$2,000 in time available over a period."

Still another executive reported his station, a local independent, had not renewed its arrangement with the Newman service because, "We felt it conflicted with our own sales crew and normal agency channels."

"But there's lots worse things around radio in this city than Ben Allah Newman," he added.

Toni Purchases NBC-TV Segment With Tony Martin

THE TONI Co. has completed negotiations for the purchase of a weekly evening quarter-hour segment on NBC-TV with singer Tony Martin. Announcement of the 39-week contract was to be made this past Friday.

Purchase of the 15-minute period (Mondays, 7:30-45 p.m. EST), the time vacated by the *Arthur Murray Party*, was the opening gun in Toni's campaign to increase its radio-tv properties for the summer season. Addition of Mr. Martin (effective April 26) gives the firm five television shows plus seven radio programs it either sponsors or on which it alternates sponsorship. Mr. Martin will do two shows from