

# Door Open for Rackers To Get Infringe Security

PHILADELPHIA — The legal wing of the National Association of Record Merchandisers has prepared a special indemnification agreement form designed to protect rack operators against possible infringement liability. The form was prepared by the office of NARM's legal counsel, Earl M. Foreman, of Washington.

Preparation of the form came about as a result of a recent infringement action against a New York low price record manufacturer which used racks extensively.

# Jazz in the White House

WASHINGTON—Paul Winters, the ork leader who just came back from South America after a tour in Latin America for the State Department, will be featured with his band at a youth concert to be presented in the White House Monday (19).

This is the fifth in a series of concerts presented at the White under the auspices of Mrs. John F. Kennedy. Invited were sons and daughters of representatives of foreign missions in this city, as well as the children of cabinet officials in the administration.

The concert is considered a break-through for jazz since it is one of the rare occasions when a jazz act has played the White House. Audience will also be treated to some bossa nova rhythms, since Winters' new Columbia album spotlights the Brazilian music that is now making strong headway in the U. S.

# BUNNY TIME

## Playboy Club Spotlights Talent in Gotham Hutch

NEW YORK — A new major talent showcase makes its bow Sunday (9) with the long-awaited opening of the Playboy Club. The layout will be located on East 59th Street near Fifth Avenue, about a block from another eminent talent medium, the Copacabana. Shows will be continuous from 7:30 p.m. to 3:30 a.m.

Several disk performers will be part of the opening bill of nine acts, which will operate on four separate show floors of the club. Headlining will be the Kirby Stone Four of Columbia Records. Also featured will be the Bobby Doyle Three, proteges of the Stone group. The trio works both instrumentally and vocally, with the vocal sound often compared to that of the

# FRANNY JENSON SCORES A COUP

CINCINNATI—King Records has found a new, young femme singer to record a special Christmas song, "Don't Wait Till the Night Before Christmas." Lass is Frances Ergeson of Milwaukee, whose new name for records is Fanny Jenson. Lass was selected by King execs Syd Nathan and Hal Neely after listening to 200 tapes and records of aspiring young singers. Miss Jenson's demo was sent to King by another King artist, Bob Kames of Milwaukee. Record will be released by the end of the week.

Through a series of legal actions, spanning several years, liability of any entity along the chain of marketing — from manufacturer down to the ultimate retailer—has been established when any record product is shown to involve infringed copyrights.

### Legal Talk

Recent conferences between NARM executive director Jules Malamud and the office of Julian T. Abeles, the legal firm which has conducted most of the publishers' suits establishing liability of the various marketing entities, resulted in the moves taken by NARM.

The indemnification agreement can be used by any rack jobber where suspicion of infringed material may exist.

The jobber simply requests the manufacturer to sign the agreement, which has the effect of a manufacturer guarantee of indemnity for the racker should such material be proved to be infringing. If a manufacturer declined to make such an agreement, a racker would then be in a position to refuse to handle the merchandise.

### 1st Move

NARM is the first trade association to take official action on the problems posed by some low price album product. Malamud, in announcing the new agreement form, said he hoped other industry groups would take similar action in the future.

Earlier, one major manufacturer of low-priced lines, Precision Radiation Instruments, voluntarily notified all of its accounts of its guarantee that none of its product is of an infringing nature. PRI offered to cover any of its accounts if they were ever sued because of alleged infringing PRI merchandise.

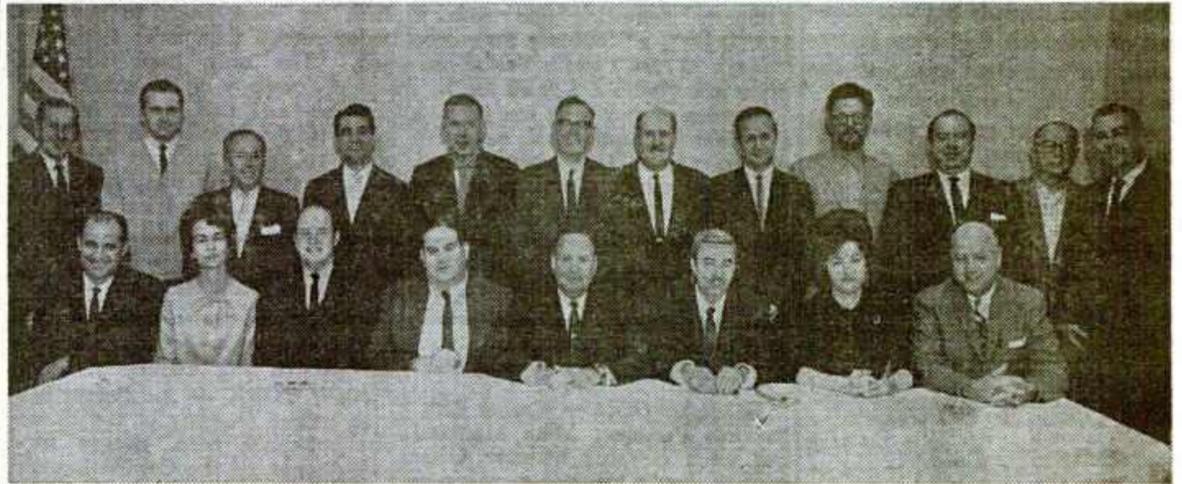
Hi-Los's. The Doyle act recently signed with Columbia.

Thrushes Teddi King and Michelle Nichols, comics Jackie Gayle and Dick Havilland and the Danny Apolar Trio, plus two acts yet to be named, round out the opening bill. Talent will work on a three-week head way and many of the acts will work the so-called Playboy circuit, moving from one club to another for an extended period. Playboy spokesmen point out that with the expected addition of other clubs to the chain, the organization will be able to virtually guarantee acts 52 weeks of work a year.

The recently formed firm of Victor Lownes III and Associates is handling much of the publicity and promotion for the clubs and

(Continued on page 29)

# CMA Board Pushes Plan to Sell Country Music to Madison Avenue



FIRST OFFICIAL PICTURES of new Country Music Association board of directors elected November 8 in Nashville. Seated, left to right: Roy Horton, Mrs. Jo Walker, Bill Denny, Steve Sholes, Gene Autry (president), Wesley Rose (chairman of the board), Frances Preston and Hap Peebles. Standing: Hal Cook, Bill Anderson, Jim McConnell, Chuck Bernard, Jack Loetz, Ken Nelson, Harold Moon, Bud Brown, Boudleaux Bryant, Mac Wiseman, Bob Pampe, Dee Kilpatrick. Not on hand for photo: Ben Rosner, Bob Austin, Tex Ritter, Grant Turner, Ray Odom and Jim Halsey.

NASHVILLE — Plans for a \$2 million country music museum project, and a sustained campaign to sell country music as worthy of prime advertising revenue in urban areas, were among the key topics taken up here at the first meeting of the new Country Music Association board of directors. The board met at the Andrew Jackson Hotel, Sunday (11), following the close of WSM's 11th annual country disk jockey festival.

Growth of membership and financial means for CMA and a campaign for action in the political

scene benefiting country music people were also taken up. Committees were appointed to pursue further action in each area.

The meeting, attended by virtually the entire new board, was helmed by newly elected President Gene Autry, who had flown here from California two days before to accept the appointment. Taking over the gavel from Ken Nelson, the outgoing CMA leader, Autry said that his baseball duties and California residency would not interfere with his attendance at meetings. He promised to give the or-

ganization a vigorous administration.

### Key Link

The country music museum is seen as a key link in the future of CMA. This ambitious project would house the CMA offices, the Hall of Fame (which already includes Hank Williams, Fred Rose, Jimmie

# CMA NAMES JO TO EXEC POST

NASHVILLE — Mrs. (Jo) Walker, executive secretary of the Country Music Association since its start in 1958, has been promoted to executive director. The promotion, which includes an increase in salary, was voted by CMA's outgoing board here last week and was announced by the association's new President Gene Autry.

The appointment is expected to afford new opportunities for the executive director to carry her CMA duties into new areas of public relations, creative projects and untapped avenues of promotion. A secretary is now being added to the CMA staff as an assistant to Mrs. Walker.

# BMW Opens Offices In 'Music City, U.S.A.'

NASHVILLE — A new branch office has been opened here by Billboard Music Week in the Whitehall Building, 1701 West End Avenue, close to the music heart of the city. Mark-Clark Bates, a native Nashvillian, will head up the new BMW operation.

A heavy concentration of the nation's recording and publishing business has concentrated here in recent years, and civic and business leaders are presently boosting Nashville as "Music City, U.S.A."

John Dubuisson, Nashville Area Chamber of Commerce president, welcomed BMW's decision to locate a branch office here.

"The Nashville Area Chamber of Commerce is proud and appreciative of its music industry," Dubuisson said. "We are delighted that such a distinguished publication in the music field has selected our city as a location for one of its offices."

Bates, who was graduated



MARK-CLARK BATES

from Belmont College, Nashville, and attended Vanderbilt University School of Law, leaves his post at The Nashville Banner to accept the BMW position. Earlier, during his college career, he had been with The Nashville Tennessean.

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Rodgers and Roy Acuff) and a full-scale museum of memorabilia identified with the country music scene.

Wesley Rose, Billy Denny and Frances Preston were appointed as a committee on museum planning. The group will make a study of the Hollywood-based Motion Picture Industry Museum to determine what facets of that establishment may be adaptable to the country museum. The committee will also work with architects and technicians in developing actual construction plans, and will also seek to sell the concept to city and State officials in terms of its value as a tourist business-getter and prestige builder for the Nashville (Continued on page 29)

# Gleason Comic Gets Para Album Shot

NEW YORK—Frank Fontaine, the comic who plays the drunk in the saloon segment of the Jackie Gleason TV show, has been signed by ABC-Paramount. It will be Fontaine's first record and will be a.r.'d by Sid Feller and directed by conductor Sammy Spear. Most of the sides will consist of novelty songs, but future albums will spotlight Fontaine in comedy material.