

## Asylum Forecasts 3 Mil Sales Year

NEW YORK—Asylum Records is expecting album sales of 3 million records in its first year of business—from sales of 10 albums, reports label boss David Geffen.

The company—an Atlantic, Geffen and Elliott Roberts label—started business in October, and Geffen stated that they have already broken new artists, Jackson Browne, Juddie Sill and group Jo Jo Gunne since then.

Asylum is also putting together the original members of the Byrds

group for a one-shot album deal. The group will be titled Crosby (David), McGuinn (Roger), Clark (Gene), Clark (Mike) and Hillman (Chris).

The Asylum album will be recorded in May, produced by the whole group. The first Joni Mitchell album on Asylum will be released shortly. She was previously on Reprise.

Among new acts for Asylum, all with LP product out, will be writer-singers John David Souther and Steve Ferguson, and group the Eagles.

Said Geffen: "These new acts will be promoted in the same way we broke Jo Jo Gunne, Browne and Miss Sill — via an album and a major personal appearance tour."

### Tours Important

The Eagles will be included in a Neil Young tour early summer which will probably coincide with Young's Warner Bros. film, "Journey Through the Past." The Eagles are another group put together by Geffen, who is their manager, from other known groups. Randy Meisner, bass, is from Poco and the Rick Nelson Stone Canyon Band, Bernie Leadon, lead guitar, from Flying Burrito Brothers, and

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## Stax, Ardent 3-Way Deal

NEW YORK—Stax Records has acquired the manufacturing, merchandising and distribution rights to the newly formed Memphis-based label, Ardent Records.

Al Bell, president of Stax, termed the deal "one of (Stax's) most significant expansion moves in years." He stated that what we have in Ardent is not just a label, produced by independent a&r men, but a fully developed recording company, and a most impressive one."

The Ardent deal was completed between John Fry, president of Ardent Recordings, Inc., and Ardent Productions, Inc., and Bell. Fry formed Ardent in 1966, and was one of the first independent studio owners in the South to sell studio time to artists and companies on an "hourly basis."

Terry Manning, vice president of Ardent, is also an engineer and producer. Cargoe and Big Star, two acts which have been recently signed and recorded by Ardent, had albums released in March and set for this month.

## CLARK TO DO DANIEL SPOTS

NEW YORK—Promoter-disk jockey Dick Clark will do radio spots for new Atlantic Records group, Godfrey Daniel.

Clark's commercials will be part of a major advertising, publicity and point of sale merchandising campaign based around the group's first album, "Take a Sad Song."

## Miller Signs With ABC

LOS ANGELES—In a major move to strengthen ABC/Dunhill's foothold in securing talent, especially in the United Kingdom, label president Jay Lasker signed a three-year multimillion-dollar pact with Jimmy Miller, expatriate American who bases in London and produces the Rolling Stones and many others.

"ABC is not interested in opening a business and marketing office in London, like other labels, but we are interested in getting first crack at good talent there. Within the next 30 days, Miller's production firm will be announcing several English act additions," Lasker stated. He said Miller would also

produce exclusive label talent both in the U.S. and in London.

Miller, son of Bill Miller, veteran Las Vegas talent coordinator, has produced acts like Spencer Davis, Traffic, Spooky Tooth, Delaney and Bonnie and B.B. King.

Pact calls for Miller to funnel all his talent, including himself, to the Lasker diskery, with optional service to the American Broadcasting Company's entertainment complex in the field of television and Broadway musicals. Miller recently produced the recent Bobby Whitlock, formerly with Derek and the Dominoes, album. George Grief, partner in Miller's firm and based here, negotiated the deal with Lasker.

## Knight Suit vs. Eastman Charges Pact Interference

NEW YORK—Manager Terry Knight has filed a \$5 million punitive damages suit against John L. Eastman as an individual and as partner of Eastman and Eastman. In the suit, filed at the Supreme

Court New York County, Knight alleges "deliberate, wrongful and malicious interference" with the contracts between Knight and Grand Funk Railroad. Knight further accuses Eastman of "inducing, persuading and enticing . . . Grand Funk Railroad and the board of directors of GFR Enterprises to violate and breach these agreements."

Knight has also started arbitration proceedings before the American Arbitration Association in New York City and seeks to stop the individual members of the group from further contractual breach.

Knight's suit adds: "I have called for additional record albums to be provided the public within the next 30 days, despite their open refusal to pursue their contractual obligations to that effect."

(Continued on page 4)

## Playboy Music Foreign Deals

LOS ANGELES—Playboy Music has set sub-publishing deals in three overseas areas. Peter Maurice Music will publish Playboy material in the United Kingdom, Melodie Der Welt in Germany, Austria and Switzerland and Air Music Scandinavia in Sweden, Norway, Finland, Norway and Iceland.

Playboy Music General Manager John Mahan stated that his two houses, Playboy (ASCAP) and After Dark (BMI) are seeking high-quality artist-writers and can offer potential tie-ins with the Playboy Entertainment Division's growing activity in film and television production.

A heavy involvement in print folios utilizing the graphics know-how of Playboy Magazine is also being set up by Playboy Music.

## Stigwood Wins Key Rule on 'Superstar'

NEW YORK — The United States Court of Appeals for the Second Circuit on March 17 expanded the injunctive relief granted by the District Court against Betty Sperber's Original American Touring Company and her management company in favor of the Robert Stigwood Group, owner of the dramatic rights in "Jesus Christ Superstar," and the Leeds music firms, owners of the copyrights. The opinion written by Circuit Judge Irving R. Kaufman clearly defines the limits of a non-dramatic ASCAP license.

Kaufman pointed out that "the role of the courts must be to prevent exploitation of the opera in a manner that infringes the rights of the creators of the work and their assignees."

In identifying the nature and

history of ASCAP, the court noted: "Composers and publishers soon realized it was impractical for each copyright holder to attempt to enforce this right since he could not possibly police all public performances for profit of every musical composition throughout the United States. ASCAP was formed to meet this need. By obtaining licenses from its members, this organization, staffed for the purpose, could enforce the performing rights of its members. It was believed, however, that each copyright owner could appropriately police and license performances of musical comedies or operas because of the relative infrequency of such productions and the lengthy preparation and publicity which must precede these productions."

The crucial determination of the scope of an ASCAP license was based upon the fact ASCAP is authorized to grant only "non-dramatic right" rights. The court found that there was almost a complete lack of controlling precedent.

In order to assure that defendants do not make minor program changes to accomplish the same result, the court stated: "Even the presentation of five or six songs could under certain circumstances, develop an essential portion of the drama, for example, the last two days in the life of Christ, thus infringing on a part of the opera. The sequence of the songs seems to be the linchpin in this case."

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## Publishers Suing N.J. Tape Operation

NEWARK, N.J.—More than 59 publishers of the Harry Fox Agency have filed three separate suits in U.S. District Court here, against a number of alleged unauthorized duplicators charged with operating a multimillion-dollar record operation in various parts of the state.

Among those charged are Tas Audio Devices, Inc., doing business as Smile Tapes; International Tape Inc., Frank Porcello doing business as Tape City-Community Jewelers; Theodore B. Parker doing business as Hut Sandwich Shop; J.G. Distributors; Discount Wholesalers, Inc.; Mohwinkel Distributors, Inc.; J. Dexter Bird doing business as Tommy's Tape; and a number of John Does.

The suits charge that the defendants systematically appropriated recordings, compositions of music publishers, and extensively reproduced or duplicated such recordings in the form of tape cartridges.

The plaintiffs, who include Acuff-Rose, Chappell & Co., Hill and Range Songs, Screen Gems-Columbia, WB Music Corp., and

others, argue that in the manufacture and sale of such bootleg cartridges, the legitimate recordings, name of recording artists, and copyright musical compositions are used without authorization, license or consent, and without compensation to the composer.

Such bootleg tape cartridges are sold for cash, at prices substantially below retail.

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## Hainick Group Acquires 3 Operations of Norelco

NEW YORK—An investment group headed by Henry W. Hainick has purchased from North American Philips Corporation, the Philips Recording, Inc. of Richmond, Indiana, a record pressing plant; Dubbings Electronics of Copiague, L.I., a tape duplicating operation; and Plastic Ware, Inc., of Bronx, N.Y., injection molders of cassette and electronic components.

Hainick announced that the same management and marketing team headed by Robert Teitelman as president and general manager will operate the acquisition under the name of PRC Recording Co., a division of Richmond Recording Corp. Ernest Ferrari, David Grant and Curt Albright will continue in their present capacities with the company.

Teitelman stated that PRC plans to expand its operation through building or acquiring plants on both coasts. Teitelman also said that the Dubbings operation will continue in its present location under the general management of Michael Thaler.

## WB/Reprise 9"x9" Program In Expansion

NEW YORK — The Warner/Reprise 9"x9" program, which provides additional information on specific albums on 9"x9" sheets, has been expanded to reach all segments of the trade. The program initially took the form of the 9"x9"s being shrink-wrapped in promotional copies of debut albums of Warner/Reprise artists.

Hal Halverstadt, Warner/Reprise Director of Merchandising, inaugurated the program as an attempt to get as much information as possible on unknown artists to the company's field and sales force. Favorable response to the initial series of sheets prompted the company to bind the informational sheets describing the March release in booklet form entitled "March Music From Warner/Reprise." Also included are pages on established artists as well as newcomers to the label.

The booklet is now being used by the Warner promotion force and sales force. The salesmen are using "March Music From Warner/Reprise" as a "leave behind" sales tool in retail shops, with buyers, one-stops and rack

## HMC Backing 19 Robinson's Stores

LOS ANGELES—The 19-store J. W. Robinson chain here has turned over racking of its records and tapes to HMC Corp. Departments were previously serviced Nalt Tape Distrib.

HMC President Jesse Selter noted that it was his firm's first breakthrough with a department store on the coast. HMC claims more than 125 retail stores serviced from California through Oregon.

HMC is in the process, coincidentally, of acquiring Natl. Tape Distrib., Milwaukee-based national tape and record wholesaler (Billboard, March 12).

## Col, Douglas Tie Renewed

NEW YORK — Columbia Records and Douglas Records have renewed their distribution pact, which has been in effect for four years.

Douglas has four new albums in the works, including an encore of the collaboration between Grateful Dead guitarist Jerry Garcia and keyboard man Howard Wales. Columbia will continue to broaden the exposure of the Douglas catalog, which was chosen with an eye to its social and historical interest and long-term selling potential.

## Bd. Elections At ASCAP

NEW YORK—Official returns in ASCAP's election for the Society's board of review have been certified to president Stanley Adams by the committee on elections.

Author members elected in the popular-production division are Dorothy Fields and Lee Adams, with alternate Bud Green. Harold Rome was the composer elected, with Charles Strouse as alternate. In the standard division, composer Jack Hamilton Beeson was elected, with Ezra Laderman as alternate.

Publishers elected in the popular-production division are Richard Ahlert of Fred Ahlert Music Corp.; Mike Stoller of Yellow Dog Music, Inc.; and Alex C. Kramer of Kramer-Whitney, Inc.; with Marvin

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# Frankie Laine Starts Own Label

By LAURA DENI

LAS VEGAS — Frankie Laine celebrating his 59th birthday while headlining at the Landmark is picking up steam rather than thinking of retiring.

Booked a year-and-a-half in advance, Laine has started his own record label, Score, and has a new release "Can You Hear Me, Lord" which he took to the MIDEM conference in Cannes. The release is receiving good European acceptance, he said. Laine is introducing it to the American public via the back door.

At this point the record has been placed with one stops and radio stations with particular emphasis on college stations. Keeping his eye on the business ledger, Laine chose this method rather than an immediate large pressing.

"I'm getting more mileage this way than I would have with royalties that I wouldn't have gotten had I pressed 250,000 copies," explained Laine. "The distributors

charge off their expenses against you. That's why so many artists get behind in their royalties. They don't make money because they haven't paid off promotion and distribution."

Another Score artist is Laine's protegee Judy Gilbert. Laine said "She was fantastic, one of the greatest singers I've ever heard." Laine first heard her when he was headlining the mainroom of the Ramada Inn in St. Louis and she was playing the lounge. "I used to go in every night before my show to hear a few of her songs."

She did a version of "Chicago" that was incredible. Her version of "For Once In My Life" used to pick me up by the seat."

Laine requested that she make a tape which she did at work. Driving home from work the 27-year-old mother of two was killed in an auto accident. The tape of nine songs, plus other songs she recorded while in St. Louis, will have instruments over-dubbed and made into an album.

"I just loved that little girl," says Laine who adds "I'm going to try and immortalize her voice."

## Big 3 Bows Cassidy Folio

NEW YORK—The music print division of The Big 3 (Robbins-Feist-Miller) is releasing the first music folio featuring songs by David Cassidy. The folio will be titled "Cherish/David Cassidy." The songbook matches the contents of Cassidy's initial record album on the Bell label and was acquired for the music print market via a special deal with Wes Farrell, producer/publisher.

Big 3's distribution of the Cassidy book will be backed by a promotional campaign covering major rack outlets and a broad music jobber base as well as the direct distribution to music shops throughout the country.

The folio will include candid and color photos, as well as extra lyrics.

As an adjunct to the release of the Cassidy songbook, the Big 3 is also marketing sheet music

copies of Cassidy's "Could It Be Forever." The sheet music edition carries a four-color front and back photo of the singer. "Could It Be Forever" is a copyright of Pocket Full of Tunes, Inc., a Farrell publishing wing.

## WB, Newman in 5-Yr. Pub Contract

NEW YORK — Warner Bros. Music and singer/lyricist Randy Newman have reached agreement on an exclusive five-year publishing contract. The deal was negotiated by Warner Bros. Music president, Ed Silvers, with Pete Pryor and Alan Bernard, Newman's attorney and personal manager, respectively.

Silvers is scheduling a number of Warner Bros. motion picture and television assignments to Newman.

## Asylum Forecasts Big Sales Year

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Dillard and Clark, Dan Henley vocals, drummer, is from Shilo and Glenn Frey comes from Long Branch Pennywhistle. The group recorded in the U.K. at London's Olympic Studios in February, and will have an album and single released.

John David Souther will appear on the David Crosby-Graham Nash summer tour. A new Asylum album will also be released by Crosby-Nash.

Commented Geffen: "Apart from strong record product, getting the artist to the people, giving the group live identification is the next important step. Browne was exposed on a Joni Mitchell tour recently and Jo Jo Gunne is currently on a 90 day cross coun-

try tour with Lee Michaels. Judie Sill is currently in the U.K. with the group, America. All this will be reflected in LP sales.

"We are not confining ourselves to a certain number of groups on Asylum—just those we have time and effort for, to promote properly. Although, through Geffen and Roberts, we manage several of our Asylum acts, we don't manage them all. We work with other managers to mutual advantage. We aren't competing."

Another factor stressed by Geffen concerning the label's artists was that they are mostly all writers. He pointed out that both new artists Souther and Ferguson were writers—Ferguson had placed material with Linda Ronstadt, Chad Stewart and Tom Rush.

## Merc Chief For Quicker Pulse

Continued from page 1

RCA artist Harry Nilsson has had his single, "Without You," and album, "Nilsson Schmilsson," certified as gold records by the RIAA.

"Leon Russell and the Shelter People" has been certified a gold album by the RIAA.

Robert John's Atlantic single, "The Lion Sleeps Tonight," has received gold certification from the RIAA.

America's debut Warner Bros. album, "America," has received gold certification from the RIAA.

The Chakachas single, "Jungle Fever," on Polydor, has been certified as a gold record by the RIAA.

tion more offensively than defensively as labels try to do.

He said the subject "Retail Explosion" was too compressed at the recent National Association of Record Merchandisers (NARM) where he disclosed the U.S. study by Phonogram Inc., already involved in retail operations in Europe.

Two Challenges

Steinberg cited two important factors challenging the record-tape industry in the next two decades:

First, lower interest rates will spur shopping centers but higher land costs will find these more vertical. The huge retail outlet will have in addition to a racked department an in-depth stocked boutique.

Secondly, there will be a dramatic rise in the number of young people—28 billion by 1980—who are very much into records and tape.

## Boston Master For Paramount

NEW YORK—Paramount Records has purchased the master for "Toys and Trains," a single released by Julie Records in Boston. The artist is John Dexter Worthington. Julie released the single a month ago in Florida.

## Atlantic Sets Military Sales

NEW YORK—Charles Brady Associated Establishment will be Atlantic Records' representative for sales to the U.S. Armed Forces in Europe.

Cosdel Associates Establishment will continue to handle Atlantic for military sales in the Far East.