

## V. Radio

In 1924, an organization first named the Associated Radio Manufacturers, and later the Radio Corporation of America,<sup>122</sup> merged the radio interests of American Marconi, General Electric, American Telephone and Telegraph (AT&T) and Westinghouse. This pooling agreement was designed to control the licensing of the large number of radio patents, so that each member could have access to all the relevant patents necessary to build radio transmitters, antennas and receivers. The pool led to the establishment of radio parts standardization, airway frequency locations and television transmission standards.

This consolidation and standardization of radio technology<sup>123</sup> allowed the Radio Manufacturers Association (RMA) to control the essential technology that aspiring radio manufacturers would need to supply the sudden public appetite for radio, which, during the early part of the 20's, was growing rapidly. It also allowed RCA and other RMA patent owners to litigate against infringers from a strong, consolidated position. One of the benefits of this control was the ability to standardize the manufacture of electronic parts. This allowed manufacturers to make parts that could be used by radio producers interchangeably.<sup>124</sup>

## VI. Hartford-Empire

However, the recently arising suspicion and misconception of patent pools was still persistent and political driven efforts to investigate and break up pools accelerated after some well-publicized hearings striking those kinds of agreements throughout the late 1930s. The famous US Supreme Court decision in the *Hartford-Empire* case<sup>125</sup> is still recalled for the harshness of Justice Hugo Black's outburst, holding against patent pools that "the history of this country has perhaps never witnessed a more completely successful economic tyranny over any field of industry than that accomplished by the pool members". This statement was widely perceived as ushering in an era of regulatory intolerance against these arrangements. As a con-

122 In 1950, the organization changed its name again to Television Manufacturers Association (TMA), then to the Radio Electronics Television Manufacturers Association (RETMA), in 1953. In 1957, the name became the Electronics Industries Association (EIA), now known as the Electronic Industries Alliance. Still quite active as a standards agency, among other things, the EIA maintains an Internet website at: <http://www.eia.org/>.

123 More on the Radio Manufacturers Association available at: <http://www.netsonian.com/antiqueradio/radiodocs/RETMA/ccodeindex.htm>

124 Burns R., "British Television: The Formative Years", Published by IET, 1986, p. 337 *et seq.*

125 *Hartford-Empire Co. v. United States*, 324 U.S. 570 (1945), available at: <http://supreme.justia.com/us/324/570/case.html>; for more information see also the opinion of the court delivered by Mr. Justice Roberts, available at: <http://www.ripon.edu/faculty/bowenj/antitrust/hart-emp.htm>