

Sunny and breezy  
High around 70!  
Sunny again Thursday  
Temps in high 60s

In search of common  
ground — page 3

Expand your musical  
horizons — page 5

Women's hoops  
against Virginia  
7:30 p.m.  
Carmichael Auditorium

# The Daily Tar Heel

Serving the students and the University community since 1893

Volume 96, Issue 110

Wednesday, February 1, 1989

Chapel Hill, North Carolina

News/Sports/Arts 962-0245  
Business/Advertising 962-1163

## Committee recommends less parking for students

By JUSTIN MCGUIRE  
Assistant University Editor

An ad hoc chancellor's parking committee has recommended that 350 student parking spaces be eliminated as part of a preliminary 12-point proposal released Tuesday.

Student government leaders said Tuesday that they are upset with the proposal and will take action to respond.

The three-member ad hoc committee, formed by former Chancellor Christopher Fordham in May 1988, developed the 12 recommendations to reduce parking problems on campus, according to the proposal.

The proposals, seven of which were originally proposed by the Traffic and Parking Advisory Committee (TPAC), include building parking decks, developing more park-and-ride lots and continuing cooperative planning with the Town of Chapel Hill.

But the sixth recommendation has upset student government leaders, who said they did not expect it.

The recommendation states that

*"I don't know why it happened. I'm pretty upset because that's not what I was told."*

— Kevin Martin, student body president

the number of parking spaces allocated to students be cut by 350 in the 1989-90 school year. The proposal also recommends that student government be allowed to set the criteria for distributing permits to students.

Student Body President Kevin Martin said he had been in touch with officials and had seen a draft of the proposal last week, but had not known about the proposal to eliminate the student spaces.

"I don't know why it happened," he said. "I'm pretty upset because that's not what I was told."

Student government will have a response once the details become

clearer, Martin said.

"We have to figure out what happened," he said. "We will come up with some sort of action."

In the original TPAC proposals, the sixth recommendation was that parking for sophomores who live on campus be eliminated to create extra faculty and staff spaces. Student leaders opposed this proposal, and Martin sent a letter to Chancellor Paul Hardin asking that student government be given the right to set the criteria for allocating student parking permits instead.

Hardin responded, telling Martin he thought it was a good idea. Martin said that when he saw the rough draft

last week, the sixth recommendation included only the proposal that student government set the criteria for student parking permit allocation, not eliminating 350 student spaces. But when it was released Tuesday, it included the proposed elimination of the spaces.

The proposal states that limited central campus parking is having an impact on the University's ability to attract and retain faculty and staff. "Reducing the number of spaces used by resident students will help improve the situation," the proposal states.

But Residence Hall Association President Jimmy Randolph said he did not see reducing spaces as a fair solution.

"I'm not so sure parking is the answer to attracting quality faculty," he said. "Especially at the expense of resident students."

Donald Boulton, vice chancellor and dean of student affairs, said all the proposals are still in draft form. The University has scheduled two

See PARKING page 5

## NCSU likely to get new arena

By SANDY WALL  
Staff Writer

If all goes according to plan, N.C. State University will receive a \$50-million, 25,000-seat arena in Raleigh, and NCSU students will be guaranteed half the seats by state law.

Funding for the "Centennial Center" will come from both private and state sources, said Frank Weedon, senior associate athletic director at NCSU.

Under section 107 of the 1988-89 appropriations bill passed by the N.C. General Assembly, the state will match dollar-for-dollar funds raised by private sources, such as alumni, to build the arena, Weedon said.

Section 107 also says the state will continue to match funds until the

facility is completed. Under the bill, \$1.5 million for a development study for the arena has already been appropriated, Weedon said.

The provision, co-sponsored by Rep. William Watkins, D-Granville, and former Rep. Bob Etheridge, D-Harnett, also mandates that half the 25,000 seats for regular NCSU basketball games in the new arena must be reserved for students, Weedon said.

Neither Watkins nor Etheridge could be reached for comment, but Sen. Wendell Murphy, D-Duplin, who was instrumental in rallying support for the arena, said state matching funds are not guaranteed. The 1988-89 appropriations bill is not binding to the current General

Assembly; therefore, the funds may be held up.

"I'm sure you have heard money is tight this year," Murphy said, but added he believes funding for the project can be secured. "I believe that it will be done. I'm very interested in this project."

The arena would serve as a basketball and multi-use facility, said Joe Hull, assistant director of the NCSU Student Aid Association.

"That's what we plan for it to do," Hull said. "It's an arena that will be used a lot."

The center, which would rival the Smith Center and the Charlotte Coliseum, would serve the Raleigh area for years, Hull said.

"We really feel we have an obli-

gation to this area," Hull said. "We're not only building it for today, we're building it for decades to come."

The new arena would replace NCSU's aging 12,400-seat Reynolds Coliseum, Hull said.

"Reynolds (Coliseum) was started in 1939 and it actually opened in 1949," he said, adding that UNC has had three arenas (Woollen Gym, Carmichael Auditorium and the Smith Center) since NCSU built a new one.

The arena would most likely be located near Carter-Finley Stadium, Hull said. The NCSU Board of Trustees unanimously approved the site last November, he said.

See NCSU ARENA page 4



DTH/Brian Foley

### Up, up and away

John Haydock (left) and Chris Crute of Helium Highs prepare for their grand opening in a new location (see story, page 4).

## Trademark battle

Downtown business continues legal fight against University

By JEFF ECKARD  
Staff Writer

In a continuing battle of David vs. Goliath, a local business is struggling in its court fight against UNC after attempts to prevent the case from going to trial were denied to both sides.

On Jan. 9, Johnny T-Shirt's motion for summary judgment — a ruling to dismiss the case before it goes to trial — was denied in U.S. Middle District Court in Durham.

The controversy began on July 10, 1987, when the University sued Johnny T-Shirt for selling merchandise bearing UNC insignias without paying royalties to the University's licensing agency.

The suit concerns the use of four trademarks the University registered with the U.S. Patent and Trademark

Office in 1982. These include the University seal, the letters "UNC," the words "University of North Carolina" and the Tar Heel foot.

Since Oct. 1, 1982, the University has granted Collegiate Concepts Inc. the exclusive right to use and grant sub-licenses to use the trademarks on merchandise sold in the United States.

Nearly 225 manufacturers have received sub-licenses, and merchants who use the trademarks on their products are required to pay 6.5 percent of product sales to the University's licensing program.

The University's complaint against Johnny T-Shirt is that when the public sees UNC insignias on products, it assumes the merchandise is approved and endorsed by the University.

Johnny T-Shirt has refused to accept such a license, and has not paid for the use of the trademarks. The University is requesting \$500,000 in damages. Also, the University claims that the store knowingly and willfully violated the law, and has asked the court to triple the damages to \$1.5 million.

Susan Ehringhaus, special assistant to the chancellor, would not comment on the case while it is being litigated.

Charles Helpingstine, owner of Johnny T-Shirt, said he had hoped to win a summary judgment under the Unstead Act, a state statute that prevents state agencies from selling merchandise in competition with citizens of the state.

But, the court ruled that the Unstead Act does not apply to the University because it is a criminal

statute, and Johnny T-Shirt applied it as a private civil statute. The statute would only apply to criminal activity by the University, and would then require the state to prosecute the case.

Despite the favorable ruling for the University, it, too, was denied a summary judgment on its claim of trademark infringement.

The court ruled that under the Lanham Act, a federal statute, the University must prove two things: a protectable property right in the trademark it seeks to defend, and that Johnny T-Shirt's use of a similar trademark will cause public confusion as to the endorsement of the products on which the insignias are used.

It was the court's opinion that the

See LAWSUIT page 5

## AIDS program wins national award

By JENNIFER WING  
Staff Writer

A UNC School of Pharmacy's AIDS awareness program won first place against 72 other pharmacy schools in a national AIDS awareness competition held by the Department of Health and Human Services.

"The focus of the entire competition was to develop, implement and manage a program on AIDS," said Gene Brown, co-chairman of the AIDS Awareness Committee.

Once the UNC Pharmacy Senate found out about the competition from a video sent to UNC about the program, subcommittees were formed and objectives created for the program, he said.

Last semester, the AIDS Awareness Committee held three lectures conducted by two UNC professors

and a representative from Burroughs Wellcome. Seminars were also held about different facets of AIDS by UNC professors and a doctor from Duke University Medical Center.

In order to measure the amount of awareness generated by this program, the committee conducted a survey asking general questions about AIDS treatment and ways of transmitting the disease, Brown said. At the end of the year, another survey will be done to compare the two responses, he said.

During AIDS Awareness Week, a booth was set up in the Pit for students to submit questions privately about AIDS, and the answers to these questions are printed in The Daily Tar Heel today. A table was also set

up at the AIDS Awareness Fair.

All of these activities were included in the overall program submitted to the competition, said Scott Ballenger, committee co-chairman. After UNC won the competition, the committee was urged to continue with its long-range objectives to serve as a role model for other universities, he said.

Dana Kiser, committee co-chairwoman, said the long-range goals include creating a slide show on AIDS to be shown to fraternities and sororities.

Other plans include making posters displaying facts about AIDS and posting business cards for people to ask questions about AIDS that can be sent to the AIDS Awareness Committee, she said. Plans are being made to distribute the posters to local pharmacies.

As a result of winning the competition, a \$2,500 donation was given to the Pharmacy Scholarship Fund by Carter Wallace and Company, a company that produces condoms and helped sponsor the competition.

"We have submitted a proposal to Carter Wallace and Company for funding," Kiser said. The funds would be used for the travel expenses needed when the UNC program is brought to other campuses, she said.

Burroughs Wellcome supplied all of the necessary funds during the competition for the UNC committee, said Jane Bohn, public relations spokeswoman for the pharmacy school. The competition was also sponsored by the Association of Pharmacy and Corporate America for AIDS education, she said.

## Kebschull in race for Daily Tar Heel editor

By JENNIFER WING  
Staff Writer

Sharon Kebschull, a junior journalism and religious studies major from Raleigh, has announced her candidacy for editor of The Daily Tar Heel.

The paper should continue on its present course but keep expanding, Kebschull said. "The main thing I will be doing is to continue the coverage that she (Jean Lutes, DTH editor) has encouraged us to do."

Kebschull said she plans to maintain the two-page editorial/opinion section and the extensive sports coverage on Mondays. Also, she said she wants to continue using accuracy tests — questionnaires sent to sources used in stories asking them to rate the accuracy of quotes and information used in the stories.

"I want to do more writer workshops to continue educating our writers and to make sure our writing is top-notch," she said.

Academic issues should receive more coverage, Kebschull said. "I want to really work on coverage of the academic side, especially the faculty contacts." She hopes to earn the trust of the faculty in order to cultivate more sources, she said.

But the paper should also begin to prepare for individual sections in each news area by continuing to expand, Kebschull said.

"We have a bigger circulation than The Chapel Hill Newspaper, and are ranked in the top five in the nation's college newspapers in budget," she said. "We need to expand our coverage because we are so big."

The state and national desk



Sharon Kebschull

Elections '89

should expand into weekly columns on news occurring on other college campuses and should use more Associated Press news stories, she said.

More AP news briefs could also be used in sports and business news, she said. "I want to re-establish a business editor and run business news two days a week because I feel a lot of students are interested in business news."

Kebschull has written for The Daily Tar Heel since her freshman year, including being an editorial assistant and editorial writer. For the past year she has served as state and national news editor. In the summer of 1988, she was editor of The Tar Heel, the weekly summer edition of the DTH.

*I know well what I am fleeing from, but not what I am in search of. — Michel de Montagne*