

Fair and sunny  
High in upper 60s  
Friday: Cloudy  
High in low 70s

# The Daily Tar Heel

Serving the students and the University community since 1893

Volume 98, Issue 33

Thursday, April 19, 1990

Chapel Hill, North Carolina

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## Pro-Iranian group offers freedom to one hostage

BEIRUT, Lebanon — A pro-Iranian group holding three American educators hostage promised on Wednesday to free one hostage within 48 hours as a humanitarian gesture and said he would carry a message for President Bush.

Reliable diplomatic sources in the Syrian capital, Damascus, confirmed an American would be freed in Damascus on Friday.

The group, Islamic Jihad for the Liberation of Palestine, did not say which of the three would be freed. Its statement was accompanied by an instant photograph of Jesse Turner of Boise, Idaho.

The group also holds Alann Steen and Robert Polhill.

## Kenya, Tanzania suffer rising death toll in floods

NAIROBI, Kenya — Heavy rain and flooding killed more than 140 people in Kenya and Tanzania in recent weeks, police said Wednesday.

In the latest deaths, seven people died when their canoe capsized on Lake Victoria during a tropical rainstorm, and five drowned when their family car was swept down a fast-flowing river Saturday, police said.

The latest deaths raise to 44 the number of Kenyans who have drowned since the annual rainy season began six weeks ago.

In neighboring Tanzania, more than 100 people have drowned and 25,000 left homeless by floods in the last two weeks, according to police in the capital of Dar es Salaam.

## Border Patrol accused of abusing illicit immigrants

WASHINGTON — A human rights group said Wednesday that U.S. Border Patrol agents had mistreated and even killed Mexicans trying to illegally enter the United States.

But Border Patrol representatives said the agents were defending themselves along an increasingly violent U.S.-Mexican border, where they faced attack from bandits and aliens who tried to force their way into the United States.

Violence along the border was the subject of a hearing sponsored by the House Foreign Affairs subcommittee on human rights and international organizations. "It is clear that something is wrong on our borders," said Rep. Gus Yatron, D-Pa., the subcommittee chairman.

## Supreme Court rules on taxes, right to privacy

WASHINGTON — The Supreme Court ruled that a federal judge may not personally raise property taxes to pay for school desegregation but can order school officials to do so.

By a 9-0 vote, the court said U.S. District Judge Russell Clark abused his discretion when he personally imposed a school tax hike in Kansas City, Mo.

The court also ruled states may outlaw all possession and viewing of child pornography, even in private homes.

By a 6-3 vote, the court upheld an Ohio law that makes it a crime to possess child pornography.

From Associated Press reports

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## T-shirt slogan spurs suit against student

DEVON HYDE  
Staff Writer

When Michael Berard decided to go into the T-shirt printing business in the summer of 1987, he did not anticipate a lawsuit from Anheuser-Busch Brewing Co. for trademark infringement.

The senior from Elizabeth City now faces a potentially bankrupting court case against his company. "Theoretically, I could lose everything," he said.

Berard came up with a design for the T-shirt from one he had seen on campus during the 1986-87 school year with "This dorm is for You" printed on it, he said. While living at the beach during the summer, he finalized a design for a T-shirt and consulted a patent, trademark and copyright specialist in Raleigh who said his design was safe to print.

The T-shirt Berard designed featured a drawing of a can printed in red and blue that said, "Nags Head — the King of Beaches," a slogan similar to Budweiser's. Other similarities included a single line on the back that said "This Beach is for You."

The following spring, Berard formed a company, Venture Inc., and started making the shirts in large quantities. He sold them to large retail stores in Nags Head and Virginia Beach as a kind of marketing test, he said.

"I thought it was all right to sell them. I didn't hide anything. It was all out in the open. It wasn't like bootlegging or anything."

The first batch of shirts sold well, he said, so before the summer of 1989, Berard sought out new places to sell them. Wings, a chain store with more than 25 locations along the East Coast and a store in Myrtle Beach, was one place that bought the T-shirts, he said.



Mike Berard

Wings alone sold a large quantity of shirts, Berard said, and at the end of the summer he received a check from the store for \$27,000.

Payment on the check was stopped soon after Berard received it, he said, although he did not know why. Apparently, representatives from Anheuser-Busch came to the store, seized about 4,000 shirts and stopped payment on the check without notifying Berard.

"For months I tried to find out why," he said. "I would call Wings and they would give me the run-around. No one would tell me anything."

Two months later, Berard's mother received a phone call from people representing themselves as UPS (United Postal Service) employees. When they came to her office, they turned out to be

a U.S. Marshal, an Anheuser-Busch lawyer and a private investigator, he said. They proceeded to raid her office and to seize 200 of the T-shirts, Berard said. It was at this time that Berard learned he was being sued by Anheuser-Busch for trademark infringement.

Anheuser-Busch attorneys declined comment Wednesday on their involvement in the case and on their policy concerning trademark laws.

Because Venture is incorporated, Berard has some protection.

"A corporation will shield shareholders from liability," said Tom Hazen, a professor in the UNC School of Law. Berard said he was the corporation's sole shareholder.

But Anheuser-Busch is trying to get past the protection of the corporation in order to sue the corporate directors, Berard said. "A motion has been made by the prosecution to pierce the corporate veil."

Robert Reeves, Berard's lawyer, said: "Our position is that the design was intended to be an amusing parody of several of Anheuser-Busch's slogans. A parody is defined as a clever twist of a phrase that is intended to be amusing or satirical."

"In order for a parody to be effective, it must necessarily bring to mind the slogan or the symbol being parodied. Otherwise, it would not be an effective parody."

Because more than 80 percent of the shirts were sold in South Carolina, the case against Berard will be tried in a federal court in Florence, S.C.

Berard said he was optimistic about his upcoming trial. "I will be happy when it's over so I can get on with my life."

## Congress OKs Vinik for vice president post

By JENNIFER DUNLAP  
Staff Writer

Following controversy over Student Body President Bill Hildebolt's selection of Grant Vinik for student body vice president (SBVP), Student Congress approved Vinik Wednesday by a vote of 22-0 with six abstentions.

Hildebolt had been criticized for choosing third-ranked Vinik, a white male, over first-ranked Mark Bibbs, a black male, or second-ranked Meridith Rentz, a white female.

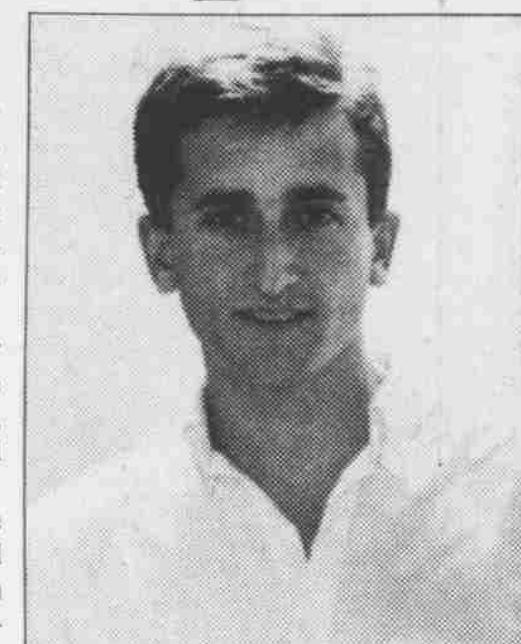
Corey Cornwell (Dist. 17) said he wanted to know why Hildebolt passed over two minority candidates, when he had promised during his campaign to bring diversity to student government.

Hildebolt said he was in the process of appointing several minorities to positions in his administration.

"I don't feel that one appointment a student government makes," he said. "I chose Grant Vinik solely because I felt he was the most qualified for the position, not because I gave any consideration to the race or gender of any of the nominees."

Although race and gender are usually considered when classifying minorities, religious status can also be a factor. Vinik, who is Jewish, could be considered a minority, Hildebolt said.

Vinik said he was very sensitive to the concerns of other minorities on campus. "I am a first-generation immigrant and of Jewish descent. I know how it feels to be discriminated



Grant Vinik

against.

"I have been a champion of women's and minorities' causes since my first day here. I can not stress how strongly I feel about this issue."

Hildebolt said Vinik's extensive experience in student government and residence hall government were two of his many credentials.

Todd Wyatt (Dist. 4) said he favored Vinik's appointment. "He (Vinik) has the ability to be diplomatic and he has something the executive branch of student government lacks right now — integrity."

Jürgen Buchenau (Dist. 3) also said Vinik should be approved because he was qualified. "He (Vinik) was se-

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## Gantt addresses N.C. social issues

By KYLE YORK SPENCER

Staff Writer

Harvey Gantt, a Democratic candidate for the U.S. Senate, told supporters he would address a wide range of social problems if elected and indicated support for increased spending on education during a fund-raising speech at the Horace Williams House Wednesday afternoon.

He said he felt "very welcome here because I care about the same issues (the residents) do."

Gantt, who served three terms as Charlotte councilman and two terms as Charlotte mayor, spoke to about 50 Chapel Hill residents. He was introduced by Chapel Hill Mayor Jonathan Howes, who praised Gantt for his past involvement in state politics and wished him luck in the May 8 primary.

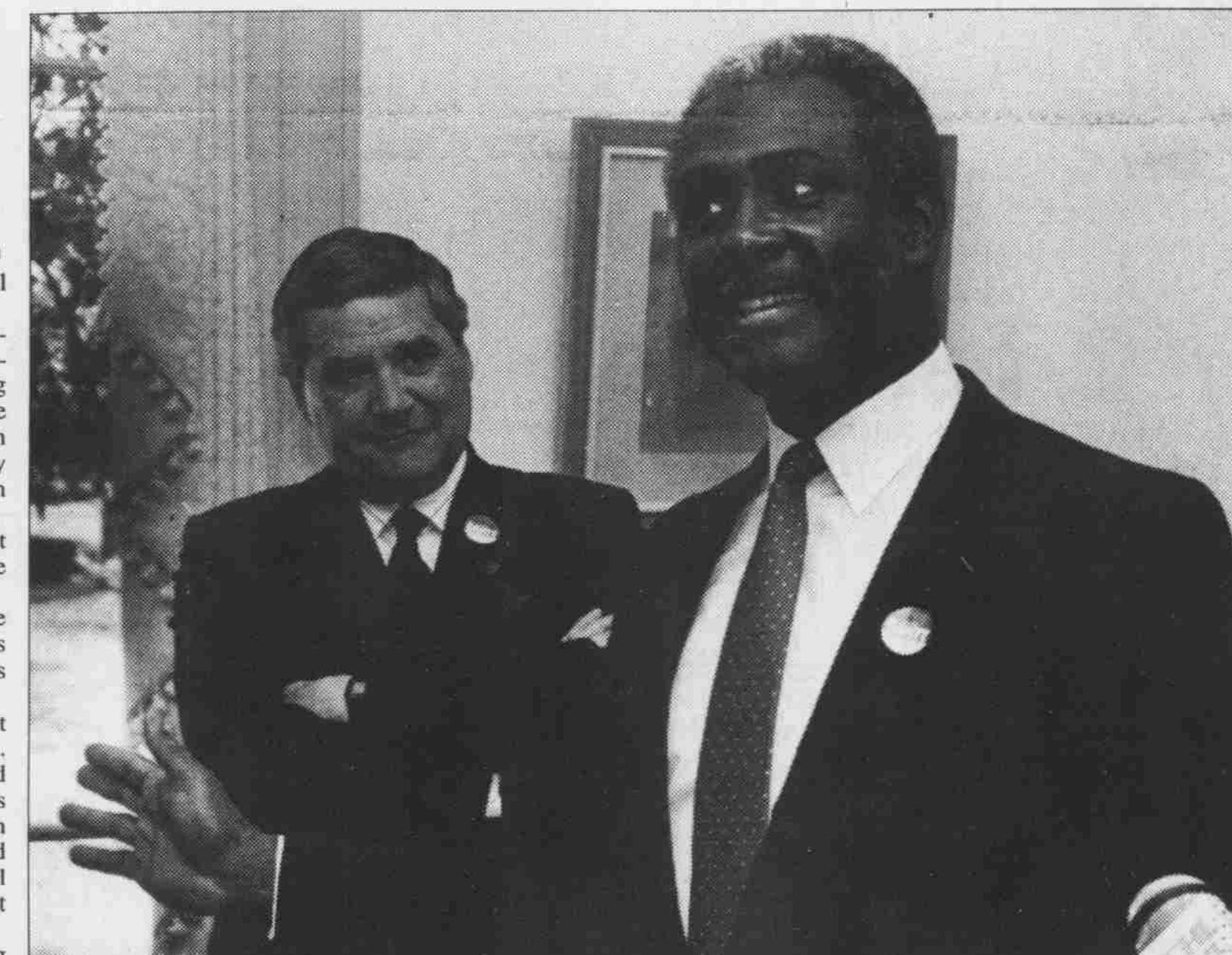
Gantt placed an emphasis on traditional family values and the social issues plaguing the state.

"We are in a state that has some problems. We are in a nation that has some problems. I know because I've talked to folks about this," he said.

Gantt said his major concerns were drugs, the environment, the family and health care.

"I'm so excited about challenging Jesse Helms in the fall," he said.

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Harvey Gantt campaigns at the Horace Williams House Wednesday as Mayor Jonathan Howes listens

DTH/P.J. Disclafani

## Symposium promotes continued use of research animals

By SHANNON O'GRADY

Staff Writer

UNC, Duke University and the organization of the Incurable Ill for Animal Research (iiFAR).

UNC professor Michela Gallagher began the forum by distinguishing between animal rights and animal welfare. "The goal of the animal rights philosophy is to do away with all medical research."

Animal welfare activists support the humane treatment of animals, Gallagher said. "I am definitely an animal welfare

advocate, and I think most scientists are. Scientists have conducted research under sets of guidelines that show a good deal of sensitivity of the welfare of animals."

Alan Willard, assistant professor of physiology, followed Gallagher by explaining how cell cultures are used in research. He said the cells used in his research came from young or fetal rats and were kept alive by other animal products such as serum.

"The use of cultures very much involves the use of animal tissues and products," he said. "Experiments in cultures show what cells can do. Experiments in animals are necessary to show what cells actually do."

The conservation of animal species was introduced by Carel Van Schaik, associate professor of biological anthropology and anatomy at Duke University. "Protection against extinction is a basic right of every species."

The primate center at Duke is working to save animals from extinction, Van Schaik said. "I would like to save as many species as possible."

The final address was given by Steve Carroll, executive director of iiFAR. The biggest problem with the animal rights movement is the lack of public knowledge, he said. "Like nearly everybody else, I have benefited from

See iiFAR, page 9

## NCNB's McColl selected as speaker for Commencement Day 1990

By VICTOR E. BLUE

Staff Writer

This year's Commencement Day speaker has several connections to the University.

Hugh McColl, chief executive officer of North Carolina National Bank, will deliver the address. He had planned to attend Commencement before he was asked to speak because his daughter Jane is graduating from UNC this spring.

His family has a long history of graduates from UNC. McColl was a 1957 graduate. His father, a sister, two

brothers and one son are also UNC alumni. McColl's other son is a graduate student in the business school.

"I feel like we're a Carolina family. We all love this school, and coming home is important to me. I feel honored, challenged, and I hope to do a good job."

Greg Zeeman, senior class vice president, said he thought it was important for the Commencement speaker to have a connection to the University as well as to the graduating class.

"There is a bond between him and our class," Zeeman said. "You want

someone who is more than just a name; you want someone with a connection to the class so the individual will be informed about what it's like to be a student at UNC."

Senior class officials said they were impressed with McColl's commitment to his alma mater and his commitment to the community. McColl is a member of the UNC-Charlotte Board of Trustees and has been involved with UNC's Bicentennial Steering Committee.

"Mr. McColl is a most fitting choice because of his strong devotion to his alma mater," said Bobby Ferris, senior

class president. "He has consistently been a leader as an alumnus in advancing the goals of the University."

"He is the prototype of a new generation of business people who have a stronger sense of the public service aspect of their business careers. He is a man of great sensitivity and vision who can turn those values into action."

Zeman said: "McColl is a great spokesman for the University. And by being a leader in business we hope he'll be an inspiration for graduating seniors. It's mutually flattering for both the University and for McColl to speak

at the most celebrated occasion that the University holds each year."

The selection process for a Commencement speaker began last spring. An informal poll was conducted to take suggestions about a speaker, and about 60 names were listed, Ferris said. The senior class did not establish a special committee to come up with a name.

"Over the summer we spent months looking for a speaker who would best match student opinion," Ferris said. "During the school year we worked

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*Man shapes himself through decisions that shape his environment. — René Dubos*