

CAMPUS AND CITY

Grad student wins T-shirt case appeal



Carolina Friday

What to do, what to do: It's summer!

Work? Play? Travel? Veg? Study?!! The opportunities of summer are boundless. But members of the UNC community eventually must decide what they will do this summer.

Anthony Jaffe, a freshman from Wilmington, said he planned to head south of the equator.

"I'm going to work in New Zealand," Jaffe said. "It'll be in the 50s every day because it's winter there."

Jaffe said he did realize that New Zealand had 3 million people and 60 million sheep.

Leigh Hudspeth, a freshman from Winston-Salem, said she intended to indulge in typical summer activities.

"I'll be working and hanging out at the pool," she said.

These activities pale in comparison to the seniors who must now enter the real world—or at least graduate school.

Amy Davis, a senior from Gastonia, is one of the brave students who are forced to leave the confines of UNC.

"Hopefully, I'll have a job," Davis said. "I've got a few contacts but nothing definite."

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By Maricia Moye
Staff Writer

A University graduate student won an appeal Monday in a federal court case Anheuser-Busch brought against him alleging that he misused the company's logo on T-shirts he had designed in 1989.

John Michael Berard was sued in 1990 by Anheuser-Busch beer company for trademark infringement. Wings, a main distributor of Berard's T-shirts, also was sued by the company.

The shirt pictures a bottle resembling the label of Budweiser beer. The shirt says "Myrtle Beach, the King of the Beaches" on the front and "This beach is for you" on the back.

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A 12-member jury ruled in Berard's favor, but the judge presiding over the case later overturned the verdict. Berard appealed the verdict, and the case went to the N.C. Fourth Circuit Court of Appeals. Berard won by a 2-1 vote at the appellate level but said he expected Anheuser to appeal to either a federal court of appeals or to the Supreme Court.

Paul Thiemann, a representative for Anheuser-Busch, indicated the company could pursue this issue through further litigation.

"Anheuser-Busch will take whatever measures necessary to ensure that its trademark is protected from the infringement of others," he said.

Dorothy Bemholz, director of student legal services, said it was not uncommon for students who are involved with designing and selling their own T-shirts to find themselves in situations like this.

"I have very frequent inquiries once a month about this type of infringement," she continued.

"But rarely does the little guy go to court to challenge the big guy because big business has so much influence and power—money. Most cases don't get to the Fourth Circuit because litigation is so expensive."

Jack Hevy, Wings general manager, agreed. "We are just ready to put this situation behind us. We have already

spent well over \$200,000 dollars in litigation."

Laura Gasaway, a law professor who specializes in trademark and copyright law, said Anheuser-Busch had no choice but to pursue this case.

"They have to protect their trademark, because if they don't, it would no longer be distinctive," Gasaway said. "It would simply decrease the commercial value of their product."

Gasaway said it was very possible that the Supreme Court would decide to hear the case.

"The Supreme Court has never heard a case like this before, and they like to take these types of cases for the sake of making a first impression on the American public, to set a precedent," she continued.

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Hevy said the company initially was concerned about the similarities between Berard's shirt and the Anheuser-Busch logo.

"When Mr. Berard first came to us asking to sell his shirts, we asked whether he had a patent for his product," Hevy said. "He came back later and had documents showing that he had. Everything was in order and was legit."

Berard said company and federal officials conducted raids and confiscated shirts when the suit was filed.

"Anheuser raided my parent's home, taking about 200 shirts that we had saved as gifts."

Kilpatrick: Perot might mix things up

By Steve Politi
University Editor

Texas billionaire H. Ross Perot's candidacy could make this year's presidential election "the happiest thing that has come along for the newspaper business since Andrew Jackson," columnist James Kilpatrick told journalism students Thursday.

Kilpatrick, the hard-nosed conservative whose columns appear in about 500 newspapers across the country, said he had thought voters would convincingly re-elect President Bush until Perot entered the picture.

"Now there's an outside chance that Ross Perot will mess things up," he said. "This could be wonderful. It could be chaos."

If Perot's candidacy takes enough electoral votes away from the other candidates so that no one receives the majority needed to win the election, the House of Representatives would decide the election. Each state would get one vote in the process, causing chaos in politically deadlocked states.

But he added that Perot probably wouldn't effect the election. History has shown that third-party candidates don't finish well, he said.

"I'll retreat and say Bush will win again," he said. "The attention span for the American people is somewhere in the neighborhood of one minute and 15 seconds. Most people think a

vote for Perot would be a vote thrown away."

Readers are very selective about what political stories they read in newspapers, Kilpatrick said.

"The print media promotes more stories about this campaign than our readers can absorb," he said. "And people just don't read it."

"I don't think Perot is going to do much in November," Kilpatrick said. "Though I could be quite wrong, I've never been wrong before, but I could be wrong on this one."

The 71-year-old Kilpatrick, holding a knotted-wood cane and wearing a wrinkled gray suit, sat on the Howell Hall lecture room stage answering questions for more than an hour. He also spoke Thursday night during a fund-raiser to benefit The UNC Hospitals Program on Childhood Trauma and Maltreatment.

When asked about N.C. politics, Kilpatrick praised Sen. Jesse Helms. "I like Jesse," he said. "Jesse is a very valuable member of the Senate. He's an excellent parliamentarian."

Kilpatrick said the media mishandled the coverage of Arthur Ashe and his announcement that he had AIDS.

"I would have not run that story at all. Arthur Ashe is no longer a public figure; he is a private citizen. I thought it was cruel and unnecessary. That was a bad chapter for newspapers."

Auto break-ins might be drug-related, police say

By Kelly Ryan
Staff Writer

Nine automobiles were broken into earlier this week, and Chapel Hill police suspect the crimes were committed by people seeking money for illegal drugs.

Five cars were broken into Tuesday night while parked in the parking lot of Pinegate Apartments, reports state.

In most instances, the car windows were shattered, causing approximately \$200 worth of damage. Miscellaneous items were stolen from most of the cars, but in some cases, nothing was removed from the vehicles.

"Usually in a case like this, it's something drug-related," said Chapel Hill interim police Chief Ralph Pendergraph. "It's people looking for loose change."

Pendergraph said incidents like this caused vehicle owners aggravation because the victims must pay for damages even if nothing is stolen.

"The major thing about this kind of crime is that damage is greater than the loss due to larceny," he said.

About 30 vehicle break-ins, similar

to the Pinegate incidents, have occurred since the beginning of the year.

Police patrol residential areas such as the apartment complex, but residents who come and go at odd times of the day provide the most effective community watch, Pendergraph said.

Police reported that no suspects had been identified in connection with the break-ins.

According to police reports, the Pinegate robberies occurred between 8 p.m. Tuesday and 7 a.m. Wednesday.

No items were removed from a 1988 Ford Mustang, a 1988 Toyota Tercel and a vehicle belonging to a UNC student after their right front windows were broken.

A convertible was broken into through its top, according to reports. Miscellaneous items totaling \$75 were taken, reports state.

Items worth \$65 were removed through the shattered window of a 1981 Mazda, police reports state.

Four similar incidents occurred in Chapel Hill Tuesday night and early Wednesday morning, according to police reports.

Weekend festivals offer breaks from exam stress

By Julie Flick
Staff Writer

If sunshine and spring fever aren't enough to distract students from studying this weekend, two local festivals also might lure students out to the streets.

Apple Chill

Apple Chill, a 20-year-old Chapel Hill tradition, will be held from 1 p.m. to 6 p.m. Sunday on Franklin Street.

"It's a community celebration that focuses on arts and crafts and music. There will be some international food as well," said Carol Walborn, arts and events specialist for the Chapel Hill Parks and Recreation Department, which sponsors Apple Chill.

"The difference between Apple Chill and (other) local street fairs is that Apple Chill is a showcase for local talent," she said.

Walborn said she expected 20,000 to 25,000 people to attend the celebration Sunday.

Vendors and exhibitions from around the state are expected at the festival, Walborn said. All 168 vending booths available for Apple Chill have been reserved, and about 15 entertainment groups will perform, she said.

Most of the booths are reserved for Orange County and Chapel Hill residents, Walborn said.

Food will be sold at 10 booths, and 10 booths will be reserved for town-

sponsored departments, such as the Recycling Department and Filmmakers, she said. Filmmakers is a year-old organization of amateur and professional film makers that holds workshops and produces screen works for fun.

This year, for the first time, Apple Chill will be recorded on video tape by the Filmmakers, Walborn said.

The Apple Chill festival was born from the efforts of local high school students who wanted to display their work, Walborn said.

The name for the festival was coined when a young child of a previous Apple Chill coordinator said "Apple Chill" instead of "Chapel Hill."

Walborn said she realized that University exams began one day after the festival, but this year's festival had been scheduled for later than usual because of Easter.

"It is always on the third weekend in April, unless that Sunday is Easter Sunday," Walborn said.

Franklin Street will be roped off from Columbia Street to Raleigh Street between 10:30 a.m. and 8 p.m. Sunday, Walborn said.

The streets will be closed to all traffic, but Rosemary Street will be open, she said.

Plutopia, Kingfish, the Apple Chill Cloggers with Lightning Cider and the Drop-In Gospel Choir are among the groups scheduled to perform at Apple Chill.

Earth Day

Weaver Street Market has planned its own festivities from 11 a.m. to 4 p.m. Saturday to celebrate Earth Day 1992.

Organizers of the event scheduled it three days after nationally recognized Earth Day, which was Wednesday, said Keith Hayes, the marketing manager for Weaver Street Market.

"We wanted to have the event on Saturday so even more people could attend," he said.

Environmental awareness has been on the rise in the last few years, Hayes said. "Participation faded out during the '70s and '80s, but in the last three to four years, the interest in the environment has been on the tips of everyone's lips," he said.

This year's Earth Day will mark the 22nd annual celebration of environmental conservation day.

Representatives from 25 area organizations such as the Orange County Greens and the Greenwaves Commission will speak about environmental concerns.

Johnny Parker, a Weaver Street employee, said other speakers will represent the N.C. Botanical Gardens, the Orange County Recycling Program, the Carrboro Commission, the Sierra Club and the Triangle Transit Authority.

Musicians will perform throughout the day. Ada, Tim Stambough and Company, Flying Mice and Nikki Meets the Hibachi are scheduled to appear.

Shelter seeks summer volunteers

By Kim Cable
Staff Writer

The Animal Shelter of Orange County boasts one of the best pet-adoption rates in the country because of its mandatory spaying and neutering program, shelter officials said.

Barbara Long, the shelter's manager, said the shelter took in 7,084 animals last year and 1,560 were adopted.

The shelter's adoption rate is excellent compared to the national average, she said.

Adopted animals must be spayed or neutered. The procedure costs \$75 for dogs and \$49 for cats. Long said the shelter worked with pet owners to make the cost more affordable.

The shelter's volunteers also contribute to its adoption rate, she said.

"We have volunteers from different backgrounds who can use their talents to help us," Long said. "We're able to provide a much higher level of service than our budget allows us to."

Twenty animals are taken to the shelter every day, and 100 animals stay at the shelter daily, she said.



An animal shelter volunteer cuddles a homeless kitten

Fifty-eight percent of the animals taken to the shelter last year were put to sleep.

The shelter is seeking volunteers for

the summer. The shelter will host an orientation and tour for interested volunteers at 6 p.m. May 6 at 1081 Airport Road, the shelter's location.

Former Campus Y president wins first Sonja Stone award

By Megan Brown
Staff Writer

The executive committee of the Campus Y will present the first Sonja Haynes Stone Award today at its end-of-the-year celebration.

The award will go to former Presi-

dent Heather Lynch, who brought a "unique vision" to the Campus Y, said Campus Y Co-president Elizabeth Kolb.

The award honors "the person who has shown with their leadership a special dedication and unique vision for the Y, and who has best exemplified the Campus Y mission statement."

Campus Y Director Zenobia Hatcher-Wilson said the mission statement, "The pursuit of social justice through the cultivation of pluralism," advocated active diversity.

"It was Heather's foresight that brought us together with the (Black Student Movement) and brought the

whole housekeepers' movement to the forefront," Hatcher-Wilson said.

"We remember Dr. Stone as being on the forefront of the movement and as listening to others and helping them to come along with her vision," she said. "It is timely that the first award named after Dr. Stone be given to Heather."

Kolb said Lynch, along with Arnie Epps, former BSM president, and Matt Heyd, former student body president, was responsible for founding the coalition of student activists that advocated an endowed chair for Stone, concessions for UNC housekeepers and a free-standing black cultural center.

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