

Nashville Opry loses exclusive rights to name

United Press International
KANSAS CITY, Mo. — Denny Hilton said Saturday he lost thousands of dollars in the battle with a large Tennessee-based corporation over the word "opry" in his Ozark music show's name but claimed the fight, which he won, was worth it.

"I'm tickled to death," the owner of the 1,200-seat country-music theater said in a telephone interview Saturday. "I think this is just another situation of how so many times the big, big corporation tries to squelch the little guy."

"We certainly have not damaged the Grand Ole Opry," Hilton said. "If they have lower attendance in Nashville, it's not because of us here in the middle of Missouri."

Nashville, Tenn.-based WSM, owner and operator of The Grand Ole Opry and other Opry-associated enterprises, had filed a trademark infringement suit against "Denny Hilton's Country Shindig Opry Show" in Osage Beach, Mo., claiming Hilton was attempting to cash in on the Grand Ole Opry's success.

But U.S. District Judge Scott O. Wright decided Friday the word "opry" is just a word and WSM does not have exclusive rights on its use, saying the word is no more than a description of the word "opera" countrified.

In June, Wright ordered Hilton to temporarily drop the "opry" from the title of his show until a final ruling was made on the case. Wright held another hearing on the case last month but did not make a ruling until Friday.

"I ruled that the name was generic and they (WSM) didn't

have a trademark on it," Wright said late Friday. "That's about all there is to it."

Hilton said he lost thousands of dollars because the 60 days he was ordered to stop selling things with "opry" on it was the tourist season, when 95 percent of his business comes in.

Attorneys for WSM had insisted the company owns the trademark on the name and that Hilton's use of it was "an infringement and/or unfair competition."

"We haven't seen the written decision yet," WSM attorney Frank M. Wentworth said Saturday. "If the reports we heard are correct, we believe the trial court made some serious errors in its decision."

Wentworth said WSM may appeal the decision but Hilton said he's not worried.

"If I was an \$80 million dollar corporation that just lost to a one-man operation, I would say the same thing," Hilton said about WSM's reaction to the decision.

In the two-day, colorful hearing last month, Lawton Rogers, a Washington-based attorney who specializes in trademark infringement cases, argued that through usage since 1927 and federal mark registration from 1950 to 1982, the word "Grand Ole Opry," "Opryland," and "The Opry" had come to refer exclusively to the shows, stars and products of WSM.

Rogers had asked Wright for a permanent injunction to force Hilton to stop using "opry" in his signs and advertising. He said WSM has received a dozen such injunctions to stop other "oprys" and has settled out-of-court with at least 30 more bogus "oprys."

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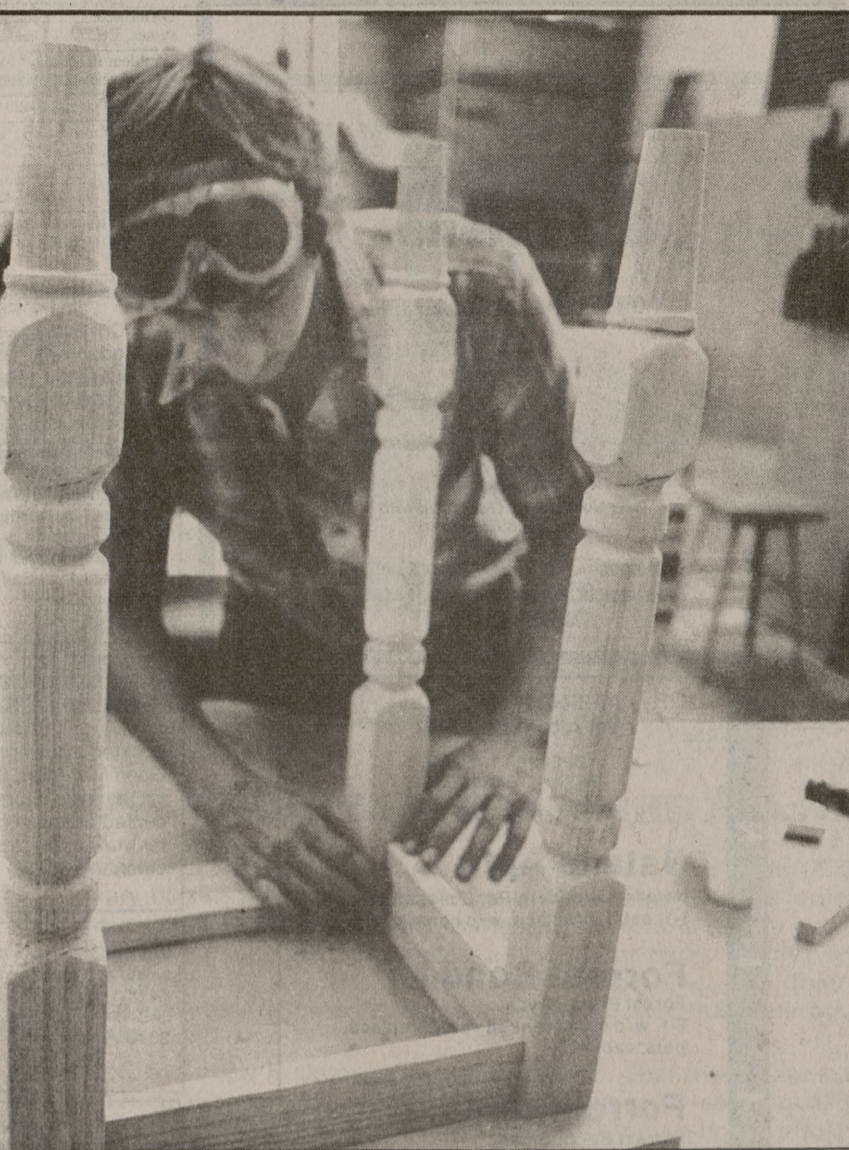


photo by Anne McCauley Hedgcocke

College carpentry

David Toler, a sophomore environmental design major from Nederland, works to complete a coffee table this summer in Building Construction 201, Construction Laboratory Orientation.

Toxic shock hits man

United Press International
FORT WORTH — With six days of the worst sickness he has ever experienced behind him, Robert Taylor said he wonders how he contracted a disease that usually attacks women — toxic shock syndrome.

"I still don't understand why I'm the one who had to get it," he said. "When the doctor told me I probably had toxic shock syndrome, I thought he had just

pulled an illness out of the hat. I had heard of it, but always in connection with women using tampons."

The assembler for General Dynamics, 21, who recently had surgery for ingrown toenails, entered Harris Methodist Hospital last week after two days of illness.

His symptoms included high fever, vomiting, low blood pressure, multiple organ dysfunction, nausea, muscle ache and a

staphylococcal infection in his two big toes. A rash followed later.

"I know I have never been in that much pain before," he said. "My head throbbed so that I couldn't lift it off the pillow without using my hands."

The Center for Disease Control in Atlanta recognized toxic shock syndrome as a disease in 1978. Of the 1,600 reported victims since that time, only 12 have been men.



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