

## American Red Cross sued over use of Johnson & Johnson emblem

BY DAVID CRARY  
AP National Writer

**NEW YORK** | Johnson & Johnson, the pharmaceutical giant that uses a red cross as its trademark, sued the American Red Cross on Wednesday, demanding that the charity halt the use of the red cross symbol on products it sells to the public.

Johnson & Johnson said it has had exclusive rights to use the trademark on certain commercial products — including bandages and first-

aid cream — for more than 100 years.

It contends that the Red Cross is supposed to use the symbol only in connection with nonprofit relief services.

The suit, filed in U.S. District Court in New York, marked the breakdown of months of behind-the-scenes negotiations and prompted an angry response from the Red Cross.

“For a multibillion-dollar drug company to claim that the Red Cross violated a

criminal statute ... simply so that J&J can make more money, is obscene,” said Mark Everson, the Red Cross president.

Johnson & Johnson began using the red cross design as a trademark in 1887 — six years after the creation of the American Red Cross but before it received its congressional charter in 1900. The lawsuit contends that the charter did not empower the Red Cross to engage in commercial activities competing with a private business.

## KUHL

Continued from 1A

Kuhl said the increased security measures are not meant to limit the public's access, even those who disagree with him. He also said the five people arrested at his office Monday are within their Constitutional rights to protest, as long as they don't break the law.

“The purpose of our community meetings, for the most part, and for having appointments in the office are getting points of view,” Kuhl said. “As long as they abide by the Constitution, I have no problem. It's when they start to get a little disobedient that I have a problem, as they did in the office here in Bath and in Fairport.”

Six anti-war protesters occupied Kuhl's office in Fairport for seven hours Monday. Nobody was arrested in the incident.

Kuhl said he and other members of Congress, including some Democrats, have been targeted by anti-war groups because of their support of President George W. Bush's policy in Iraq.

“There's no question this is a coordinated fringe effort,” Kuhl said. “For the most part the ones that were arrested are not from the district. Why are



U.S. Rep. John R. “Randy” Kuhl J. talks about the security upgrades at his office in Bath Wednesday morning during a visit to *The Leader*.

they here? If they want to speak to their representative, I'm not their representative. What they're trying to do, unfortunately, in this case, is obstruct my constituents from having access to my office and my employees.”

The five protesters arrested Monday: Daniel J. Burns, 47;

Ellen Grady, 44; and Richard T. Saddler, 42, all of Ithaca; and Mark C. Scibilia-Carver, 54, and Christopher Tate, 46, both of Trumansburg, were charged with third-degree criminal trespass.

All were released and will appear in Bath Village Court at 3 p.m. Aug. 22.

## GLEN

Continued from 1A

“Didn't he win at The Glen a few times not too long ago?”

Mike Pierce, a Schuyler County sheriff's deputy, also went with Mark Martin. Deputy Pierce pulled Martin over for speeding once — on a local road in a private car, not on the track, of course — but let him off with a warning.

“He was a nice guy,” Pierce said.

Those picking Mark Martin, however, probably shouldn't put any money on Sunday's race.

Martin, a grizzled Cup veteran, won at The Glen in '93, '94, and '95. However, he's now semi-retired and isn't even in the field for Sunday's race.

However, just about all of NASCAR's biggest stars — Dale Earnhardt Jr., Jimmie Johnson, Matt Kenseth and Kevin Harvick, to name a few — will be racing at The Glen, one of only two road courses on the Cup schedule.

Judging by recent history, Gordon, Stewart and Harvick are solid picks.

Gordon has four career wins at The Glen. Stewart has won three of the past five at The Glen, and



Drew Daniello of Sarasota, Fla. puts on a wakesurfing demonstration for fans at “Racing Thunder in the Glen.” Daniello is with Centurion Boats, the sponsor of this weekend's NASCAR Nextel Cup race.

Harvick is the defending champion.

The Crown Royal 250, a Grand American Rolex Sportscar Series race, is at 6:30 p.m. Friday. The NASCAR Busch Series race is at 3:30 p.m. Saturday, and the Cup race is at 3:30 p.m. Sunday.

Wednesday evening's fan festival on the shores of Seneca Lake, which featured show cars, collectibles vendors and more, kicked off a long weekend of NASCAR fun, both on and off the track.

The party continues with

tonight's Race Fever block party on Bridge Street in Corning.

Race Fever organizers are hoping to get at least one, and hopefully a few, drivers to do autograph sessions, but as of Wednesday afternoon, they were having trouble confirming which drivers would make an appearance.

There will, however, be show cars, NASCAR memorabilia for sale, a climbing wall for kids, lots of tasty food, live music and more. Race Fever is scheduled to run from 5-9 p.m.

## CHARGED

Continued from 1A

The death led to a 10-day investigation by county sheriff in investigators, county Coroner Steven Copp and county Animal Cruelty Officer Scott Mazzo.

Tunney said Wednesday he looked at the full range of charges possible in the case before filing the Class A misdemeanor charge.

“It was the only charge supported by the evidence available,” Tunney said. “It was not a compromise. It was the one and only charge

afforded by the evidence.”

Tunney said the investigation showed the father had been warned by county Department of Social Services workers that his son needed a greater degree of supervision and that the dog was a serious risk to the boy's safety.

“Without the history of this particular (warning) it is safe to say there would have been no charges filed at all,” Tunney said.

Tunney said the charges are intended to deter Abbott and others from acting in the same manner in the future.

“I don't doubt he mourns the loss of his son,” Tunney said. “But what happens in the legal system is we have an obligation to look at the evidence and act accordingly.”

Abbott was arraigned before Village of Bath Justice Chauncey Watches Wednesday and released. Class A misdemeanors are punishable by a fine, probation or up to one year in prison.

Abbott is scheduled to appear with his attorney in Bath Town Court Aug. 20.

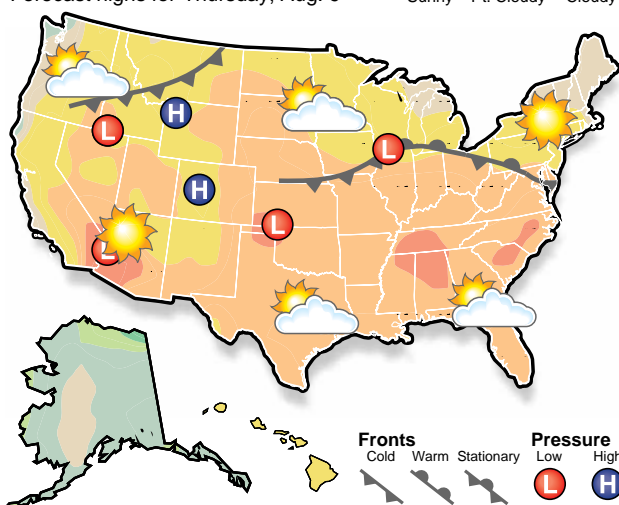
## SEVEN-DAY FORECAST

**WETM 18 Storm Team**  
Chief Meteorologist Scott Mayer  
Meteorologist Joe Pasquarelli  
Meteorologist Matthew Szebjika

Today	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
A.M. fog, p. cloudy with sct. shwrs.	A.M. rain, occ. t-storms, showers	P. cloudy, less humid	P. cloudy	P. cloudy, sct. t-storms	P. cloudy	P. cloudy with sct. t-storms
High   84 Low   59	High   78 Low   66	High   84 Low   55	High   87 Low   57	High   82 Low   62	High   84 Low   55	High   82 Low   56

## National forecast

Forecast highs for Thursday, Aug. 9



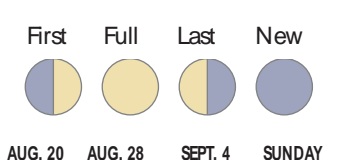
## NEW YORK

Today will be partly sunny with highs in the upper 70s. Tonight will be partly cloudy in the evening, then becoming mostly cloudy with a chance of showers and thunderstorms and lows around 60. Friday will be mostly cloudy with a chance of showers and thunderstorms and highs in the upper 70s. Chance of rain is 50 percent. Friday night will be mostly cloudy with a chance of showers and thunderstorms with lows in the lower 50s.

## WEATHER HISTORY

In 1987, Florida baked in the summer heat. Nine cities reported record high temperatures for the date, including Jacksonville with a reading of 101 degrees. Miami, Fla., reported a record high of 98 degrees.

## MOON PHASES



## SUNRISE | SUNSET

Sunrise today	6:09
Sunset today	8:18
Sunrise Friday	6:10
Sunset Friday	8:16

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