

Due process? Try much ado about nothing, in Humble



Hal Phillips,
editor

Remember the infamous Tour 18, the course comprising replicas of famous golf holes laid out amid the power lines and prairie scrub of Humble, Texas? You know, the faux 13th at Pebble Beach next to the near 11th at Merion, just beyond the mock 17th at Sawgrass?

Well, the case goes to trial this month in Houston, where the controlling interests behind three resorts — Pebble Beach, Pinehurst and Harbour Town — will test the limits of federal trademark protection.

The brass tacks of most trademark disputes center on consumer confusion, and whether that confusion (once proved) prevents or discourages the public from buying the real thing. For example, will a golfer who plays the Tour 18 version of Harbour Town's famous finishing hole confuse the makeshift swamp to his left for Calibogue Sound? When he plays the replicated Amen Corner, will the Tour 18 patron become confused? Is he standing on an abandoned oil field next to Houston International Airport, or is he standing on the manicured grounds of Augusta National sipping a mint julep?

I can't see a judge buying the supposition, frankly.

Besides, a Tour 18 patron pays just \$55 to \$75 to play, whereas a Pebble Beach patron, for example, shells out \$200 for the privilege. That's the best differentiator there is!

Pardon me, but this whole business is fairly ridiculous; and with regard to the plaintiffs, a bit tacky. The idea that Tour 18 is somehow taking money from Pinehurst's pocket, or that golfers drive to Humble, Texas and believe they're actually standing on the Monterey Peninsula is ludicrous.

Furthermore, a place like Pebble Beach derives a large measure of its glory from the natural surroundings. Just read the brochures.

Are the Pebble Beach attorneys prepared to claim patent protection for Carmel Bay, the rocky coastline, the seals, the bordering Del Monte forest, not to mention a course design that follows the land's natural contour?

At this stage, I wouldn't put it past them.

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It's a big country — big enough to feature several diametrically opposed yet similarly devastating weather patterns during the same three-month period (see story page 1).

In Florida, it rained so hard and often that fungicide sales, for example, were among the lowest on record. The heavy rain

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Members, general managers: Summer of their discontent?

Sleepless in Seattle... and Columbus... and Philly. Superintendents have been sleepless from Delaware to Dubsdread this summer, worrying about the weather — and their jobs.

Heat and humidity were unrelenting and life-defying. No amount of syringing, no deluge of chemicals could save some courses. Hurricane Jerry dumped 15 to 18 inches of rain on South Florida, headed north, then turned around and dumped another 5 or more inches on the same area. Canals and lakes filled and the state of Florida could not drain.

Yet, general managers and green committee chairmen from the East Coast to the Rockies are firing their superintendents — professionals who have no control over the circumstances.

"I know of more than a half dozen guys who will lose their jobs out here," said one Ohio superintendent after a drenching and hot summer that steam-cooked the turfgrass. "It's been a summer from hell."

That's tantamount to shooting the cook because of bad taxi service to the restaurant. Who other than the superintendent is going to save that golf course? The person running the food and beverage? The lawyer sitting in this year as green chairman? The club owner who built his fortune making widgets?

In effect, club members blaming superintendents for dead turf when the weather is the culprit is like Chicago White Sox infielder Ozzie Guillen putting eye drops on his bat when he's in a slump.

Come-on!

But the word is, country club members often leave their good judgment back at work when they come to the course.

"People lose their common-sense reasoning in country club environments," said Bob Brame, director of the U.S. Golf Association Green Section North Central Region. "They don't want to hear agronomic reasons why the greens are dying. Instead, they will base their decisions on emotions."

That attitude is not lost on superintendents anywhere the weather gets too weird for too long.

One person confided: "Like any superintendent, I worry about having two bad years in a row, whether it's my fault or not. We are just like baseball coaches. We seem to be very expendable. It's odd to try to convince 350 members that you're not the town idiot."

"In our part of the country, people aren't used to weather like



Mark Leslie,
managing editor

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Letters

GATOR DIED WRONGFUL DEATH

To the editor:

The article in the September issue of *Golf Course News* regarding the alligator attack at the Cocoa Beach Country Club [page 5] was not accurate as to the individuals involved.

There were actually two young men who were trespassing on the golf course at 11:30 at night collecting golf balls from the lakes. They were wearing wet suits and carrying plastic grocery bags to transport the golf balls they collected.

As a result, one of the young men was seriously injured by an alligator who was basically just defending his home. The gator was subsequently destroyed by the Florida Fish and Game Commission for doing what he does naturally, and the trespassers — one of whom may have permanent injurie — are now facing criminal charges.

Quite rightly, the patrons of the golf course have shown a great deal more concern for the unfortunate demise of their friend Stubby the gator than they

have for the intruder who caused Stubby's unjust and severe punishment.

Dave Manning
general manager
Cocoa Beach (Fla.) CC

USGA: DON'T BARBECUE SUPERS

The letter below, issued by the U.S. Golf Association Green Section North Central Region, was sent to courses in the upper Midwest during the brutal weather pattern this summer.

To the editor:

The prolonged period of high daytime and equally high nighttime temperatures has resulted in widespread turf loss on golf courses throughout the North Central Region of the USGA Green Section (Indiana, Ohio, Kentucky, Wisconsin, Minnesota, Michigan, North Dakota, South Dakota and Montana). *Poa annua* was hit the hardest. The purpose of this letter is to convey the widespread nature of this summer's problems and the fact that, in many cases, the turf loss was beyond the control of turf managers.

It is an established agronomic

fact that *Poa annua* is the one golf course turfgrass which is least tolerant of summer heat, winter cold and ice stress. These inherent weaknesses of *Poa annua* were seen during the winter of 1993-94 along the East Coast and now, during the summer of 1995 here.

The reasons *Poa annua*, and to a lesser extent bentgrass and perennial ryegrass, declined this summer are many. The catalyst was a hot summer which set records in many areas. In some areas the heat was joined by too much rainfall and yet, in other areas too little rainfall. In some cases, close mowing and/or the use of grooved front rollers added to the package.

Once grass becomes stressed and weakened, disease problems begin. Anthracnose, pythium (foliar and soil borne), take-all patch, summer patch, brown patch and dollar spot were all seen this summer. The heat and weakened turf made fungicidal control of diseases more difficult than usual. In a few cases, pesticide applications, made with well-calibrated equipment and at

correct rates, added to the decline of overly weakened turf. When the snow ball starts rolling down the hill, it gains momentum and is almost impossible to stop.

Courses with good drainage and well-built greens come through better. Poorly-drained greens, tees and/or fairways, especially with high percentages of *Poa annua*, were hardest hit. What to do?

First of all, recognize that maintenance of dense, healthy turf during prolonged periods of heat and humidity cannot always be successful. Especially, *Poa annua* turf. Don't barbecue the course superintendent! Rather, understand their plight and when the weather cools, give them the support to begin a comprehensive seeding program. Where drainage is a limiting factor, develop a plan to improve it. These conditions may come again.

It will be a busy fall at most courses. Good luck! If we can assist in any way, give our office a call.

Robert C. Vavrek, agronomist
R. A. (Bob) Brame, director
USGA North Central Region
Covington, Ky.

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Editorial Office
Golf Course News
Box 997, 38 Lafayette Street
Yarmouth, ME 04096
207-846-0600; Fax: 207-846-0657
hphilip@gcn.biddeford.com

Advertising Office
National Sales:
Charles E. von Brecht
Box 997, 38 Lafayette Street
Yarmouth, ME 04096
207-846-0600; Fax: 207-846-0657

Western Sales:
Robert Sanner
Western Territory Manager
2141 Vermont
Lawrence, KS 66046
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