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## **Starbucks wins logo case in China**

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**3 January, 2006**

## **THE ARTICLE**

### **Starbucks wins logo case in China**

The global coffee shop chain Starbucks has won its two-year legal battle in China to stop a local chain from violating its copyright. A Shanghai court ordered the Xingbake Coffee Co. Ltd. to stop engaging in "illegitimate competition". The name "Xingbake" roughly translates into "Starbucks" in English – "xing" means star and "bake" sounds like "bucks". Presiding judge Lu Guogiang ruled that the name "Starbucks" and its logo were unique trademarks and were entitled to special protection under Chinese law. He ordered Xingbake to stop infringing Starbucks' copyright and to pay compensation of US\$62,500 to the US company. Xingbake argued that it had registered its name in China before Starbucks had secured its trademark.

Starbucks is the world's largest coffee retailer. It entered the Chinese market in 1999 and now has over 300 outlets on the Chinese mainland. Xingbake registered its company name in China in November 1999 - after Starbucks had registered its trademark. The company began setting up its own coffee shops in 2003, virtually pirating the Starbucks name, logo and image. Starbucks first sued its Chinese copycat in December 2003 for violating its intellectual property rights. China had introduced copyright laws in 2001 to protect international companies and their trademarks. Starbucks is the first global company to test the judicial water. Lawyers view the decision in its favor as a landmark. It may prompt a crackdown on the rampant counterfeiting of foreign brands in China.

## WARM-UPS

**1. LOGOS:** In pairs / groups, brainstorm a list of the most famous company logos you can think of. Talk about the logos. Which ones are the best? What makes them the best? What improvements would you make to them?

**2. PIRACY:** Are you a pirate? Do you photocopy things you shouldn't? Do you download things illegally? Do you buy counterfeit goods? Answer these questions with your partner(s). Talk about how bad the following are:

- a. Photocopying non-copiable books.
- b. Recording music from tapes, CDs, MDs or mp3s borrowed from friends.
- c. Video taping movies and TV shows from the television.
- d. Illegally downloading music on the Internet.
- e. Buying fake goods.
- f. Copying someone's company name and/or logo.

**3. CHAT:** In pairs / groups, decide which of these topics or words are most interesting and which are most boring.

*Coffee shops / legal battles / copyright / competition / translation / stars / Chinese law / trademarks / piracy / copycats / intellectual property rights / foreign brands*

Have a chat about the topics you liked. For more conversation, change topics and partners frequently.

**4. STARBUCKS VERBS:** In pairs/groups, agree on endings to these sentence starters. Talk about your sentences. Change partners and compare your sentences.

- a. Starbucks is \_\_\_\_\_.
- b. Starbucks aims \_\_\_\_\_.
- c. Starbucks supports \_\_\_\_\_.
- d. Starbucks serves \_\_\_\_\_.
- e. Starbucks markets \_\_\_\_\_.
- f. Starbucks opens \_\_\_\_\_.

**5. SCHOOL MOTIF:** In pairs / groups, design a motif or logo for your English school (or company). Change partners and explain the various elements of your design. Vote on the best logo in the class.

**6. COPYRIGHT:** Spend one minute writing down all of the different words you associate with the word "copyright". Share your words with your partner(s) and talk about them. Together, put the words into different categories.

## BEFORE READING / LISTENING

**1. TRUE / FALSE:** Look at the article's headline and guess whether these sentences are true (T) or false (F):

- a. Starbucks has won a court case to stop a rival from copying its logo. T / F
- b. The rival company was called Sbartucks Coffee Co. Ltd. T / F
- c. A judge ordered the rival to pay Starbucks US\$625,000 in damages. T / F
- d. The rival said it registered its name in China before Starbucks had. T / F
- e. Starbucks is the world's largest coffee retailer. T / F
- f. Starbucks first sued its copycat for copyright violations in 2003. T / F
- g. Starbucks is the fifth global company to test China's copyright laws. T / F
- h. The ruling may increase the rampant counterfeiting of Chinese goods. T / F

**2. SYNONYM MATCH:** Match the following synonyms from the article:

- |                |              |
|----------------|--------------|
| a. violating   | imitator     |
| b. engaging in | ripping off  |
| c. presiding   | determined   |
| d. ruled       | shops        |
| e. secured     | practicing   |
| f. outlets     | unbridled    |
| g. pirating    | legal        |
| h. copycat     | sitting      |
| i. judicial    | nailed       |
| j. rampant     | contravening |

**3. PHRASE MATCH:** Match the following phrases from the article (sometimes more than one combination is possible):

- |                                |  |
|--------------------------------|--|
| a. ...to stop a local chain    | infringing Starbucks' copyright        |
| b. stop engaging               | to test the judicial water             |
| c. The name "Xingbake" roughly | from violating its copyright           |
| d. He ordered Xingbake to stop | outlets on the Chinese mainland        |
| e. ...before Starbucks had     | translates into "Starbucks" in English |
| f. ...has over 300             | a crackdown on...                      |
| g. ...virtually pirating       | of foreign brands in China             |
| h. the first global company    | secured its trademark                  |
| i. It may prompt               | in "illegitimate competition"          |
| j. the rampant counterfeiting  | the Starbucks name                     |

## WHILE READING / LISTENING

**GAP FILL:** Put the words in the column on the right into the gaps in the text.

### Starbucks wins logo case in China

The global coffee shop \_\_\_\_\_ Starbucks has won its two-year legal battle in China to stop a local chain from \_\_\_\_\_ its copyright. A Shanghai court ordered the Xingbake Coffee Co. Ltd. to stop \_\_\_\_\_ in "illegitimate competition". The name "Xingbake" \_\_\_\_\_ translates into "Starbucks" in English – "xing" means \_\_\_\_\_ and "bake" sounds like "bucks". \_\_\_\_\_ judge Lu Guogiang ruled that the name "Starbucks" and its logo were \_\_\_\_\_ trademarks and were entitled to special protection under Chinese law. He ordered Xingbake to stop infringing Starbucks' copyright and to pay compensation of US\$62,500 to the US company. Xingbake argued that it had registered its name in China before Starbucks had \_\_\_\_\_ its trademark.

*presiding*

*engaging*

*star*

*chain*

*secured*

*violating*

*roughly*

*unique*

Starbucks is the world's largest coffee \_\_\_\_\_. It entered the Chinese market in 1999 and now has over 300 \_\_\_\_\_ on the Chinese mainland. Xingbake registered its company name in China in November 1999 - after Starbucks had registered its trademark. The company began setting up its own coffee shops in 2003, \_\_\_\_\_ pirating the Starbucks name, logo and image. Starbucks first sued its Chinese \_\_\_\_\_ in December 2003 for violating its intellectual \_\_\_\_\_ rights. China had introduced copyright laws in 2001 to protect international companies and their trademarks. Starbucks is the first global company to test the judicial \_\_\_\_\_. Lawyers view the decision in its \_\_\_\_\_ as a landmark. It may prompt a crackdown on the \_\_\_\_\_ counterfeiting of foreign brands in China.

*favor*

*copycat*

*virtually*

*water*

*retailer*

*rampant*

*outlets*

*property*

## **LISTENING**

Listen and fill in the spaces.

### **Starbucks wins logo case in China**

The global coffee shop chain Starbucks has won its two-year legal battle in China to stop a local chain from \_\_\_\_\_ its copyright. A Shanghai court ordered the Xingbake Coffee Co. Ltd. to stop engaging in "illegitimate competition". The name "Xingbake" \_\_\_\_\_ translates into "Starbucks" in English – "xing" means star and "bake" sounds like "bucks". \_\_\_\_\_ judge Lu Guogiang ruled that the name "Starbucks" and its logo were \_\_\_\_\_ trademarks and were entitled to special protection under Chinese law. He ordered Xingbake to stop \_\_\_\_\_ Starbucks' copyright and to pay compensation of US\$62,500 to the US company. Xingbake argued that it had registered its name in China before Starbucks had \_\_\_\_\_ its trademark.

Starbucks is the world's largest coffee retailer. It entered the Chinese market in 1999 and now has over 300 outlets on the Chinese \_\_\_\_\_. Xingbake registered its company name in China in November 1999 - after Starbucks had registered its trademark. The company began setting up its own coffee shops in 2003, virtually \_\_\_\_\_ the Starbucks name, logo and image. Starbucks first sued its Chinese \_\_\_\_\_ in December 2003 for violating its intellectual property rights. China had introduced copyright laws in 2001 to protect international companies and their trademarks. Starbucks is the first global company to test the \_\_\_\_\_ water. Lawyers view the decision in its favor as a landmark. It may \_\_\_\_\_ a crackdown on the rampant \_\_\_\_\_ of foreign brands in China.

## AFTER READING / LISTENING

**1. WORD SEARCH:** Look in your dictionaries / computer to find collocates, other meanings, information, synonyms ... for the words **'star'** and **'buck'**.

- Share your findings with your partners.
- Make questions using the words you found.
- Ask your partner / group your questions.

**2. ARTICLE QUESTIONS:** Look back at the article and write down some questions you would like to ask the class about the text.

- Share your questions with other classmates / groups.
- Ask your partner / group your questions.

**3. GAP FILL:** In pairs / groups, compare your answers to this exercise. Check your answers. Talk about the words from the activity. Were they new, interesting, worth learning...?

**4. VOCABULARY:** Circle any words you do not understand. In groups, pool unknown words and use dictionaries to find their meanings.

**5. STUDENT "LOGO" SURVEY:** In pairs / groups, write down questions about the logos and names of international companies.

- Ask other classmates your questions and note down their answers.
- Go back to your original partner / group and compare your findings.
- Make mini-presentations to other groups on your findings.

**6. TEST EACH OTHER:** Look at the words below. With your partner, try to recall exactly how these were used in the text:

- battle
- engaging
- roughly
- presiding
- pay
- secured
- mainland
- November 1999
- virtually
- copycat
- water
- crackdown

## DISCUSSION

### STUDENT A's QUESTIONS (Do not show these to student B)

- a. Did the headline make you want to read the article?
- b. Do you like Starbucks?
- c. What do you think about judge Lu's ruling?
- d. How important is it to legally protect the logos and slogans of international companies?
- e. Does it matter which company registers the trademark first?
- f. What do you think Xingbake executives will do about its logo and name from now?
- g. Do you think Xingbake's compensation payment to Starbucks is enough?
- h. What can international companies like Sony or Chanel do to stop their products from rampant piracy?
- i. Do you think the counterfeiting of internationally recognized goods can ever be reduced to a level where it is not a problem?
- j. What punishment would you give to someone who illegally downloads music from the Internet?

### STUDENT B's QUESTIONS (Do not show these to student A)

- a. Did you like reading this article?
- b. What do you think about what you read?
- c. Do you have a favorite coffee shop or cafe?
- d. Do you have a favorite company logo?
- e. Do you think this landmark decision will put an end to the counterfeiting of foreign goods in China?
- f. Would you buy a pirated CD or a fake designer bag?
- g. Do you think pirates and counterfeiters have a valuable role to play in the world economy?
- h. What do you think of the Starbucks name and logo?
- i. What do you think of copycats?
- j. Did you like this discussion?

**AFTER DISCUSSION:** Join another partner / group and tell them what you talked about.

- a. What was the most interesting thing you heard?
- b. Was there a question you didn't like?
- c. Was there something you totally disagreed with?
- d. What did you like talking about?
- e. Which was the most difficult question?



## SPEAKING

**LOGOS:** In pairs / groups, agree on the two most famous logos in each of the categories below. Discuss whether the logos are good and what makes them good (or bad). Discuss improvements on their design.

CATEGORY	GOOD? / BAD?	IMPROVEMENTS
Gasoline		
Computer		
Fast food		
Clothes		
NGO / charity		
Other _____		

Change partners and tell your new partner(s) what you discussed with your old partner(s).

Give each other feedback on your ideas.

## **HOMEWORK**

**1. VOCABULARY EXTENSION:** Choose several of the words from the text. Use a dictionary or Google's search field (or another search engine) to build up more associations / collocations of each word.

**2. INTERNET:** Search the Internet and find more information on Starbucks and Xingbake. Share your findings with your class in the next lesson. Did you all find out similar things?

**3. MY LOGO:** Design a logo for yourself. You will attach it on the signature of your e-mails or print T-shirts for your friends. Provide an explanation of your thoughts behind the design. Show your logo to your classmates in the next lesson. Who has the most interesting logo?

**4. LETTER:** Write a letter to the president of Xingbake. Tell him/her what you think of the court's decision in Starbucks' favor. Show your letter to your classmates in the next lesson. Did everyone write about similar things?

## ANSWERS

### TRUE / FALSE:

- a. T      b. F      c. F      d. T      e. T      f. T      g. F      h. F

### SYNONYM MATCH:

- |                |              |
|----------------|--------------|
| a. violating   | contravening |
| b. engaging in | practicing   |
| c. presiding   | sitting      |
| d. ruled       | determined   |
| e. secured     | nailed       |
| f. outlets     | shops        |
| g. pirating    | ripping off  |
| h. copycat     | imitator     |
| i. judicial    | legal        |
| j. rampant     | unbridled    |

### PHRASE MATCH:

- |                                |  |
|--------------------------------|--|
| a. ...to stop a local chain    | from violating its copyright           |
| b. stop engaging               | in "illegitimate competition"          |
| c. The name "Xingbake" roughly | translates into "Starbucks" in English |
| d. He ordered Xingbake to stop | infringing Starbucks' copyright        |
| e. ...before Starbucks had     | secured its trademark                  |
| f. ...has over 300             | outlets on the Chinese mainland        |
| g. ...virtually pirating       | the Starbucks name                     |
| h. the first global company    | to test the judicial water             |
| i. It may prompt               | a crackdown on...                      |
| j. the rampant counterfeiting  | of foreign brands in China             |

### GAP FILL:

#### Starbucks wins logo case in China

The global coffee shop **chain** Starbucks has won its two-year legal battle in China to stop a local chain from **violating** its copyright. A Shanghai court ordered the Xingbake Coffee Co. Ltd. to stop **engaging** in "illegitimate competition". The name "Xingbake" **roughly** translates into "Starbucks" in English – "xing" means **star** and "bake" sounds like "bucks". **Presiding** judge Lu Guogiang ruled that the name "Starbucks" and its logo were **unique** trademarks and were entitled to special protection under Chinese law. He ordered Xingbake to stop infringing Starbucks' copyright and to pay compensation of US\$62,500 to the US company. Xingbake argued that it had registered its name in China before Starbucks had **secured** its trademark.

Starbucks is the world's largest coffee **retailer**. It entered the Chinese market in 1999 and now has over 300 **outlets** on the Chinese mainland. Xingbake registered its company name in China in November 1999 - after Starbucks had registered its trademark. The company began setting up its own coffee shops in 2003, **virtually** pirating the Starbucks name, logo and image. Starbucks first sued its Chinese **copycat** in December 2003 for violating its intellectual **property** rights. China had introduced copyright laws in 2001 to protect international companies and their trademarks. Starbucks is the first global company to test the judicial **water**. Lawyers view the decision in its **favor** as a landmark. It may prompt a crackdown on the **rampant** counterfeiting of foreign brands in China.