



Patrick Gaultier © 2006

Deprived of Etaix...

Like **Jerry Lewis**, his longtime friend, many of us admire the films of **Pierre Etaix** and many more deplore their disappearance from the "large" and "small" screens.

The films of Pierre Etaix are not released any more. Why?

Quite simply because his five features, co-written with his friend **Jean-Claude Carrière**, are today "quarantined". No projector may revive *The GREAT LOVE* nor reawaken the silhouettes of *YOYO* or *THE SUITOR* except under penalty of a chase... Not the kind of a chase enjoyed in a **Buster Keaton** film, which finishes rather well, but a pursuit by lawyers that too often ends badly.

Synopsis

Cinematographic Retraction

A "tragi-comedy" in a few acts.

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Cinematographic Retraction

A "tragi-comedy" in few acts.

Prologue

Once upon a time there were five feature films made by Pierre Etaix, lying dormant for many moons in their metal cases awaiting the coming of a distributor Prince Charming to awaken them ...

Act I

Unlike Sleeping Beauty, who could snooze forever free of wrinkles, the films of Pierre Etaix underwent the ravages of time. In short, a serious makeover was required, or what the specialists call restoration.

Having no access to the negatives for simple legal reasons, Pierre Etaix and Jean-Claude Carrière asked a Good Fairy of Justice to help them. She did so - successfully.

Thus, the alchemists of restoration might finally be put to work, and we Imps - or film buffs - would soon rediscover *YOYO* and *THE SUITOR*, or be startled by the incredible modernity of *THE LAND OF MILK AND HONEY*. All boded well for us Imps. Pierre Etaix and Jean-Claude Carrière were also content.

Act II

But the real work had yet to be done: finding money for restoration, a distributor to distribute, and theatres to exhibit the films...

Emboldened by her success in court and, as a result, reassured by the extra confidence shown in her by our two friends, the Good Fairy of Justice had an idea: why bother to await the hypothetical arrival of a Prince Charming; why not act now in the interest of *YOYO*, ensure *THE SUITOR* recovered its breath and have Pierre Etaix finally enjoying a real release of his *LAND OF MILK AND HONEY*...

As a matter of fact, our Good Fairy of Justice had a White Knight in mind: her brother. He would find money for the restoration, defend the interests of the authors and combat all shysters and predators ...

Well, a White Knight - approved by the Good Fairy of Justice - was "in any case better than a Prince Charming you don't know", exclaimed our two friends!

Act III

Everyone in the land of Imps burned with impatience, eager to re-examine the movies of Pierre Etaix! But, first of all, the newcomer's position had to be regularised, so the Good Fairy of Justice prepared a parchment... Feuchecrrr; Feuchecrrreuh, Feuchecrrr, (noise of a goose feather writing). The parchment contained magic formulae by which the exclusive, world-wide rights to the films might, at an appropriate time, be ceded to the White Knight as a reward for his valour...

Uh, it's a little complicated for us Imps, but there it is.

Pierre Etaix and Jean-Claude Carrière signed the parchment, without examining every detail, believing the Good Fairy of Justice to be acting to the best of her ability in their common interests. After all, the main thing was to restore the films, the rest was formality...

Act IV

Three long years passed... Not a centimetre of film was restored!

The films remained dormant in their boxes. In the land of Imps, people grew impatient...

The White Knight had become a Phantom Knight, so Pierre Etaix and Jean-Claude Carrière denounced that parchment written three years earlier. They dispatched an official missive borne by two special Couriers of the King respectively entitled "Registered Letter" and "Acknowledgement of Delivery" (that one was a noble). At all events, the missive was ignored.

"He who says nothing consents" decided Pierre Etaix and Jean-Claude Carrière, both more concerned with the fate of the films than the carelessness of the White Knight. Our two friends thus decided to act for themselves....

Act V

In a few months, they did all that our "White ex-Knight" had failed to achieve in three years The *GROUPAMA-GAN FOUNDATION FOR THE CINEMA* had come on board to restore the superb *YOYO*.

At last, something concrete!

Without wasting time, Francois Ede (the man who showed us how to reproduce the original colors of Jacques Tati's *Jour de Fête*) vowed to give his all on the film. Centimetre by centimetre, Pierre Etaix re-discovered his *YOYO*, or perhaps vice versa.

At all events, *YOYO* liked this Act V ; Pierre Etaix too.

Act VI

Act VI might have been the last, providing a well-deserved "happy ending". It was not to be. The happiness of some often awakens conspiscence in others...

The Good Fairy of Justice and her White Knight suddenly rose up in anger, waving the famous parchment previously denounced by our two friends, indignantly declaring that no action on the work of Pierre Etaix could be taken without their consent, etc... etc...

The professional inaction of yesterday was transformed into fierce legal agitation...

There was even a summary lawsuit... that Pierre Etaix and Jean-Claude Carrière lost. Gazing at the magic formulas of the parchment, the Judge considered the whole business beyond his competence. Even so, he condemned Pierre Etaix and Jean-Claude Carrière to pay a substantial fine thanks to this inopportune reanimation of the Good Fairy of Justice and her White Knight.

He summarily dispossessed our friends of all rights to their five feature films... In the Land of Imps there was consternation ...

Act VII

Overriding these setbacks. Act VII is a happier one – so much the better for that.

The splendidly restored *YOYO*, despite the forgoing events, was shown at the 2007 **Cannes Film Festival** and at the **Paris Cinematheque**. A few merry Imps had the chance to rediscover the film as imagined forty-three years earlier by its maker. It was a triumph.

Epilogue:

The end of this story remains unknown, but in the land of Imps, we wish for only one outcome: that Pierre Etaix recovers the rights of his films so that we may see them!

Otherwise, Imp-film buffs will be denied a body of work that has gathered many awards, notably an Oscar in Hollywood, a Prix Louis Delluc, and prizes in Cannes, Berlin, Moscow...

The cinema of Pierre Etaix has already toured of the world: why prevent this poetic universe, this caravan of happiness and slapstick comedy, from taking to the road once more?



Chronological reference points:

1996 The film company CAPAC - producer of 5 features by Pierre Etaix (1) - has effectively abandoned any activity on his films, so Pierre Etaix decides not to renew the cession of his author's rights in favour of that company, especially as an important distributor wishes to commercially re-release one of his films.

At the same time, Jean-Claude Carrière (co-author), cedes *his* rights to CAPAC for a term of ten years, not knowing that Pierre Etaix had declined to do so. Result: for lack of consultation between the authors, the exploitation of the 5 features (realized by Pierre Etaix and co-written with Jean-Claude Carrière) remains impossible for a decade. Pierre Etaix, nevertheless, preserves the right to show his films at non-commercial events.

2002 With the films already blocked for six years at this point, Pierre Etaix and Jean-Claude Carrière decide to fight for their rights in the courts. They seek access to the actual films for restoration.

May 27: the authors (represented by Maître Francine Wagner, lawyer from the Court of Appeal of Paris) issue a summary procedure against CAPAC and SA FILMS MARCEAUX CONCORDIA.

July 16: the Court of Bankruptcy in Paris enjoins the LTC and ECLAIR laboratories – who hold the film negatives - to allow Pierre Etaix and Jean-Claude Carrière to carry out restoration work on the films at their own expense.

CAPAC and SA FILMS MARCEAUX CONCORDIA appeal against this decision.

2003 **February 5: Outcome of the Court of Appeal:**

The 14th chamber of the Court partially confirms the judgement of 2002. Thus Pierre Etaix will be able to complete the restoration of his films at his own expense.

2004 Flushed with this early success and the outcome of the appeal, Francine Wagner introduces GAVROCHE PRODUCTIONS, proposing that this company be allowed to handle the restoration and reissue of the films, making it known that Alain Wagner, its managing director, is also her brother. In her cabinet, Francine Wagner (full name: Francine Wagner-Edelman) obtains the signatures of our two friends (her clients) to a contract that will remain on file awaiting a possible signature by GAVROCHE PRODUCTIONS. It will be a long wait. Two years pass and nothing occurs ...

2006 With the draft contract obviously abandoned, Pierre Etaix and Jean-Claude Carrière take the initiative once more. The authors note that the company, GAVROCHE PRODUCTIONS, took no action regarding the old draft contract and never even bothered to sign it.

At the beginning of November, the authors freely facilitate the restoration of their works through the GAN Foundation for the Cinema. First up is YOYO.

At the end of November, lawyer Pierre Reynaud becomes the new counsel for Pierre Etaix. At the end of the year, the authors serve GAVROCHE PRODUCTIONS an ultimatum to respond to their preceding letters which have remained unanswered. The company then tardily - and very evasively - responds to Pierre Etaix. The authors have not received any money under the terms of the alleged contract.

2007 **January 3:** the authors demand to see the original of the draft contract.

January 25: Alain Wagner affixes his signature to the draft contract but unilaterally modifies it by adding a clause, effectively converting the document into a *prima facie* transfer of rights, because it is officially published via the RPCA (Registre Public du Cinema et de l'Audiovisuel de CNC / Public Cinema and Audio-visual Registry of the CNC - the national film archive).

Thereafter, GAVROCHE PRODUCTIONS asserts that it has been exclusively assigned the world-wide rights to the five feature films.

Spring 2007: in their research at the Clerk's Office of the Commercial Court of Paris, Pierre Reynaud and Thomas Loncle (the lawyer for Jean-Claude Carrière) discover that, according to statutes published in 1996, Francine Wagner is associated with her brother, and with their father and mother in the company GAVROCHE PRODUCTIONS, a limited liability company run by the family.

May 17: The restored YOYO is presented at the opening of the traditional Cannes Film Festival Selection. French and foreign distributors wish to acquire the film.

At the beginning of June, Jean-Claude Carrière and Pierre Etaix institute proceedings to erase the registration of the pseudo contract with the RPCA.

July 9: YOYO is projected at the French Cinematheque during the Festival of Paris Cinema. The theatre is packed.

July 13: the Court of Bankruptcy of Paris refuses the applications of Pierre Etaix and Jean-Claude Carrière formulated against the limited liability company GAVROCHE PRODUCTIONS. Moreover, the authors are condemned to pay the sum of 5,000 Euros together with the court expenses of their adversaries.

At the beginning of December, Pierre Etaix and Jean-Claude Carrière subpoena the limited liability company GAVROCHE PRODUCTIONS, seeking to finally recover their rights.

(1) The films concerned are: *The Suitor* (1962), *Yoyo* (1964), *As Long as You're Healthy* (1965), *The Great Love* (1968), *The Land of Milk and Honey* (1970).



Pierre Etaix

Pierre Etaix built his career principally around comedy. In 1954, he moved from his native Roanne to Paris where he would make a living as an illustrator and eventually as a solo performer in cabaret and variety venues. He would also work as a circus clown in partnership with Nino Fabbri.

In 1954, he met Jacques Tati for whom he worked for 4 years as a draughtsman and gagman in the preparation and shooting of Tati's film, *My Uncle*, and as an assistant-director during the shooting, also playing a small, uncredited role in that film. In 1961, he performed his own "number" in Tati's music-hall production. *Jour de Fête à l'Olympia*.

In 1961, he became a filmmaker, realising two shorts - *Rupture* (FIPRESCI prize in Mannheim 1961) and *Happy Birthday* (Oscar in Hollywood 1962) - both co-written with Jean-Claude Carrière. Between 1962 and 1970, he realised five features: *The Suitor* (Prix LOUIS DELLUC 1963; the Comic Film Prize of the Moscow International Film Festival, 1963), *Yoyo* (Grand Prize - OCIC International Festival in Venice 1965), *So Long as You're Healthy* (Silver Siren at the International Festival of Sorrento), *The Great Love* (Grand Prize of French Cinema 1969) and *The Land of Milk & Honey* (*Pays de cocagne*, 1970).

In 1971, following the release of his fifth feature, he resumed work as a clown, touting France with the Pinder Circus for approximately eight months.

In 1973, he wrote and acted in the stage show *Whatever the Role* (*A quoi en joue*) at the Théâtre Hébertot, winning the Society of Authors Award. The production then toured the provinces. By that time he had decided, with his wife Annie Fratellini, to found the first **National Circus School** in France. They also produced their own duo clown routines.

He is the author of many books including *Hatbox*, *Dactylographismes*, *Stars System* and *Sketches of Jerry Lewis*. In 1985, he signed his first play for the "legitimate" theatre: *L'Age de Monsieur est avancé* (The Gentleman is getting on), which he adapted for television in 1987, co-starring in that version (title role) with Nicole Calfan and Jean Carmet.

In 1989, he directed the first ever fiction film made in the Omnimax format: *I Write in Space*. More recently, he collaborated in the DVD release of the complete collection of film shorts by Buster Keaton - namely, "The Art of Buster Keaton". His most recent books include: *The Men from ...*, *Let's Criticise the Camera*, *You Must Call a Clown a Clown*, *Karabistouilles*, and *The Clown and the Scientist* with mathematician Claude de Calan.



Jean-Claude Carrière

Born in a small village of the South of France, **Jean-Claude Carrière** had a traditional education, which led him to the ENS in Saint-Cloud.

While still a student, he published his first novel, *Lézard*, before meeting Jacques Tati and Pierre Etaix.

He wrote novelisations of Tati's films, *Monsieur Hulot's Holiday* and *Man Once*, both books illustrated by Pierre Etaix. Carrière and Etaix immediately found a rapport and together made two film shorts in 1961 - *Rupture* and *Happy Birthday (Heureux Anniversaire)*, the latter gaining an Oscar in Hollywood.

In 1962, they co-wrote the feature. *The Suitor* (Prix Louis Delluc) released in 1963 to a wide international audience. Then followed *Yoyo*, *So Long as You 're Healthy*, and *The Great Love*. They have continued to work together, on several occasions, on various film projects and books.

In 1963, Jean-Claude Carrière met film director Luis Bunuel, with whom he collaborated for twenty years (*Diary of a Chambermaid*, *The Discrete Charm of-the Bourgeoisie*, etc). He also collaborated with Milos Forman (*Taking Off*), Volker Schlöndorff (*The Tin Drum*), Andrzej Wajda (*Danton*), Louis Malle (*Viva Maria*, *Milou in May*), Jacques Deray (*The Swimming Pool*, *Borsalino*) and Jean-Paul Rappeneau (*Cyrano de Bergerac*). He has written about fifteen films for television. For the theatre, following the production of his first play, *The Memorandum (l'Aide Memoire)*, he worked for thirty years as a playwright with Peter Brook, most notably on *Mahabharata*.

He has never ceased writing and publishing books including booklets on opera and songs. For ten years he chaired and helped to establish the French National School of Cinema, FEMIS. He is also president of the association, *Springtime of Actors*, and The Montpellier Theatre Festival, and is on the board of directors of the Guimet Museum. He is an Officer of the Legion of Honour.

Contacts and networks

For more information, press review and support, see the Internet site:

www.lesfilmsdetaix.fr

If you wish to contact Pierre Etaix and Jean-Claude Carrière or obtain additional information, you can contact:

lesfilmsdetaix@gmail.com

If you wish to sign the petition for the reissue of these films, please see:

<http://www.ipetitions.com/petition/lesfilmsdetaix/index.html>

