Washington (AP) - The United States Supreme Court sided with The Three Stooges in a dispute with a Los Angeles artist over lithographs and T-shirts depicting the slapstick comedians who first became famous in the 1920’s.

The justices let stand a California Supreme Court ruling that an artist must get approval and pay licensing fees to depict a celebrity unless the new work contains “significant creative elements.” The U.S. top court rejected without comment or dissent an appeal by artist Gary Saderup, who made a charcoal drawing of The Three Stooges, known for their head-slap ping, eye-poking brand of comedy, and

(Continued on page 3)
Dear Fellow Stooge Fans,
I am so glad to find you. I have loved the Stooges all my life. As a young girl I could not decide which one to marry. I love collecting Stooge stuff and watching videos. My b-day is Curly’s. It must have been in the stars. Hoping to hear from you,
Stooge_7@hotmail.com

Hello,
My name is Scott K. Alexander. I have an eight year old girl (Samantha) and a seven year old boy (Shane). I have always enjoyed the Stooges and the Knuckleheads but I think the children really get the biggest charge from it. They laugh more when they watch the Stooges than when they watch any cartoon. To me there is nothing better in the world than the laugh of the children. It’s great to know that someone is keeping the original comedy alive. I don’t think the children have a favorite, they like all of them. Thank you again for keeping the boys alive.
Sincerely,
Scott, Renee, Samantha and Shane

Dear Three Stooges Fan Club,
As a new member of the Stooge Club, I am writing to say how lucky you are, as regards to watching the Stooges on cable TV. Over here in England, only Channel 4 rarely shows them, and I think they only have about forty shorts, as the same ones keep turning up. In fact I have never seen one with Joe Besser in it.

Can anybody do me a favor? I am looking for a photo-copy of a Three Stooges autograph article that appeared in “Autograph Collector.” If you can, please get in touch at the address below.
Yours, keeping the Stooges flame alive in England.
Keith Pritchard
29 Blackeys Lane.
Neston, Cheshire,
CH64 9XA
England

Dear C3,
I’m a big fan of the Three Stooges (and a club member). I’ve read a lot about them and saw their biography. I got upset when I rented a book from my local library called “Two for the show” by Lonney Burr. It had most of the information wrong. My favorite Stooge, “Shemp” for example was born in 1895 and in the book it says 1901. And that’s not all, Larry’s name and birth date are also wrong. I saw a lot of other mistakes and wondered if someone else saw them too. If they corrected them, that’s fine, I just wanted to tell you about it.
Sincerely,
Alissa Miholovich

Hello,
My name is Scott K. Alexander. I have an eight year old girl (Samantha) and a seven year old boy (Shane). I have always enjoyed the Stooges and the Knuckleheads but I think the children really get the biggest charge from it. They laugh more when they watch the Stooges than when they watch any cartoon. To me there is nothing better in the world than the laugh of the children. It’s great to know that someone is keeping the original comedy alive. I don’t think the children have a favorite, they like all of them. Thank you again for keeping the boys alive.
Sincerely,
Scott, Renee, Samantha and Shane

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On November 24, 2001, for the fourth year the Alex Film Society hosted a special tribute to The Three Stooges titled the “Three Stooges Big Screen Event.” Each year the Alex Film Society hand picks a number of Three Stooges shorts to be shown at this great event held in Glendale, California. This year they held two shows, a matinee and an evening show, both of which were sold out with standing room only for the evening show.

The Program featured five classic Three Stooges shorts: Horses’ Collars (1935), Slippery Silks (1936), Oily to Bed, Oily to Rise (1936), their famous World War II parody of the axis powers, You Nazty Spy (1940), and Hold That Lion (1947), the only short with all three Howard Brothers (Moe, Shemp, and Curly), and of course Larry Fine.

While attending the show I enjoyed the reaction of the audience to The Three Stooges. New fans and old fans alike were nyuking, applauding and having a great time. It felt so good to see everybody enjoying The Three Stooges after all these years. I know the boys themselves would be very pleased. The Three Stooges humor is timeless with slapstick and just good old fashioned fun! Their comedic timing and devotion to their art is spectacular and above all, they were funny, even in a sagging economy and a world war. Everyone loves The Three Stooges - this has been true for the last 75 years, and I’m sure for at least the next 75 years as well. Maybe in these complicated and troubled times a dose of their wacky comedy is just what we all need.

Keep on Stoogin’,
Jean DeRita (wife of Curly Joe)
then reproduced it as lithographs and silk-screened images on T-shirts. By selling the lithographs and T-shirts he earned profits of $75,000. The California Court decision upheld an award to The Three Stooges company, Comedy III Productions, Inc. of all his profits, plus attorney’s fees and other costs.

The ruling by the Court was viewed as a victory for celebrities or their heirs in the battle over who should control publicity rights - similar to trademarks or copyrights - to famous names and images. Comedy III Productions, Inc. was represented in the California Supreme Court and in the United States Supreme Court by its General Counsel, Robert N. Benjamin. Mr. Benjamin is the stepson of Curly Joe DeRita, the last member of The Three Stooges comedy team. Mr. Benjamin stated: “This is a great day for The Three Stooges and for all celebrities and celebrities’ heirs. The United States Supreme Court has put to rest the notion that a celebrity’s right of publicity is precluded by the First Amendment.”

Gary Saderup argued his use of The Three Stooges images did not violate any of their rights because the lithographs and T-shirts did not constitute an advertisement, endorsement, or sponsorship of any product. The California Supreme Court disagreed, ruling that the artist is liable for the unauthorized use of The Three Stooges unless it can be determined that the portrait added “significant creative elements” that transforms it beyond something more than a mere celebrity likeness or imitation.

In their appeal to the U.S. Supreme Court, Saderup’s lawyers said the Supreme Court should use the case to determine the extent that free-speech rights limit a state’s
works of visual art depicting deceased celebrities. “Judges become art critics,” the lawyers argued, saying the ruling could also affect professional photographers who sell photos of celebrities. The Court disagreed.

Both the California Supreme Court and the U.S. Supreme Court have affirmed the property rights for celebrities in their names, images and acts, and specifically upheld actions under state laws to enforce those rights against unauthorized infringers. Mr. Benjamin stated: “These infringers are no different from thieves of any other property. The highest court in the land has now endorsed these property rights and I hope this will deter people who attempt to take and profit from that which does not belong to them under our laws.” The California Supreme Court and now the U.S. Supreme Court has affirmed that Comedy III Productions, Inc./C3 Entertainment, Inc., owns the rights of publicity to all six members of the famous comedy team, The Three Stooges.

Robert N. Benjamin is the attorney for Comedy III Productions, Inc., and prevailed in the United States Supreme Court on behalf of The Three Stooges’ company. Robert is also the stepson of Curly Joe DeRita and has been very instrumental in the management and operation of Comedy III. With over 20 years of legal expertise in Copyright, Trademark and Entertainment Law, Robert was well suited to resist Saderup’s attempt to justify his unlawful infringement against The Three Stooges. Saderup was defeated in the California Trial Court, California Appellate Court, California Supreme Court and finally The United States Supreme Court. The case is of particular significance because it establishes the Constitutionality of celebrity rights to the exclusive use of their images and likenesses. Asked about his big victory in the United States Supreme Court, Robert said: “I am very proud to establish these rights for heirs of all celebrities, and this is particularly special as The Three Stooges will always be remembered for setting this landmark legal precedent.”

Robert N. Benjamin

The Three Stooges take the courtroom stand in A Plumbing We Will Go (1940).
The Three Stooges are the most popular comedy team of all time. Their story goes back 75 years, long before most people reading this were born. C3 Entertainment, Inc. has worked hard to present all points of view with respect to the story behind the famous comedy team. Long time Stooge authors Tom Forrester and Jeff Forrester have come out with a new book that is sure to spark controversy. According to the Forresters, trauma induced celebrity hemorrhages, celebrity murder cover-ups, staged suicides, bloodthirsty mobsters, greedy Hollywood moguls, Nazi dictator Adolf Hitler, and the man who brought James Bond to the screen are all part of a never before published story that addresses another side of America’s favorite comedy team, The Three Stooges.

In their new book The Three Stooges: Triumphs and Tragedies of the Most Popular Comedy Team of All Time, which commemorate the team’s 75th Year Anniversary, the Forresters address the tragic and sometimes shocking circumstances that are woven throughout the lengthy career of The Three Stooges.

This new book, published by Donaldson Books, provides a fascinating and controversial new biographical point of view on the great comedy team. The book focuses on the real life juxtaposition of comedy and tragedy that affected the lives of brothers Shemp, Moe, and Curly Howard as well as the acts of the other Stooges, Larry Fine, Joe Besser, and Curly Joe DeRita.

According to co-author Jeff Forrester, who with brother Tom has written four other books on The Three Stooges, “Curly began having serious headaches in his late thirties, followed by cerebral hemorrhages in his early forties. Many of The Stooges own doctors and family members now believe that this was due to...”

According to the author Jeff Forrester, Ted Healy gleefully steals scene after scene from the studio’s top character star, Wallace Beery in Metro’s big-budget comedy-drama Good Old Soak (1937), and in so doing, unknowingly creates his own Frankenstein Monster.
the continuous physical abuse they endured for years, sometimes decades as part of the act. The Stooges were really comic gladiators. They unknowingly put their lives on the line to make people laugh."

The Three Stooges became stars in 1927, appearing on Broadway as part of an act with Ted Healy. Ted Healy was the leader of the group and was considered by the Forresters to be a creative genius. According to the Forresters, Ted Healy is often cited as the role model or inspiration for such legends of comedy as Bob Hope, Jack Benny, and Milton Berle. Like John Belushi, Sam Kinison, and Chris Farley, Ted Healy was a popular comedic bad-boy who enjoyed a tragically short ride of fame and fortune - a ride which began with his formation of an act in which some of the comedians were referred to as "Stooges."

After Healy met the Howard brothers (Shemp, Moe, and Curly) in 1909, he knew he had something very different, very fresh, and very funny on his hands. Over the years there were numerous changes in Healy’s act, including the addition of Larry Fine, the first comedian from outside the Howard clan to become a long time member of the group. Ted Healy eventually brought the Act to Hollywood for stardom in feature films and short subjects at MGM Studios in the 1930’s. But Healy would not live long enough to enjoy a lengthy career in the movies. In 1937, after celebrating the birth of his only child, disaster struck Healy at the Trocadero Night Club on the Sunset Strip in Hollywood California. On that fateful night, the Forresters report that Ted Healy who died from injuries sustained in a bar fight with one of his co-stars from MGM, Oscar winning actor, Wallace Beery.

Former MGM story editor Samuel Marx recalls that MGM Studio Chief Louis B. Mayer engineered a cover-up of the incident in order to protect Wallace Beery, then the biggest character star in Hollywood. But

FOR MORE INFORMATION:

For more information on the authors, a complete ten-part chapter break-down, details on how you can get your name in the book’s Fandom Honor Roll section, or to view some of the more than 350 rare images included in the book, please visit the authors’ website at www.stoogebook.com. The book is now available for purchase online at www.soitenlystooges.com for $29.98 or call 1-800-3STOOGES.
Wallace Beery was not the only one who may have had Ted Healy’s blood on his hands in the Trocadero parking lot that fateful night.

In addition to Beery, Healy claimed on his deathbed that he had also been attacked by Beery’s drinking companion, Pasquale (Pat) DiCicco, then best known as New York Mob boss Charles (Lucky) Luciano’s right hand man in Hollywood. DiCicco is also reputed to be involved in the suspicious death of another Hollywood star and comedian, his former wife and Ted Healy’s one time lover, Thelma Todd. Her death was also allegedly covered up by Mob-run Hollywood for decades, officially labeled a suicide by carbon monoxide poisoning.

The Forresters go on to report that the third major figure at the Trocadero the night Ted Healy was fatally beaten was Pat DiCicco’s first cousin and crony, Albert (Cubby) Broccoli, who later stated in interviews that he had indeed scuffled with Healy at the popular night spot. Broccoli, then in his twenties, later became the producer of the hugely popular James Bond film series.

All of these tragic events affected The Three Stooges, who were then getting their first real taste of movie stardom. In the decades that followed, The Stooges continued to be big box office, and they would star in more than 200 Hollywood films between 1930 and 1970. Even today, more than 70 years after their first film appearance, The Stooges continue to be
tremendously popular on television and their vintage movies are still packing them in at film festivals around the country.

Their 1934 short subject Men In Black was even nominated for an Academy Award. But that is not the only honor bestowed upon The Three Stooges during their lengthy career in show biz. Before the United States even joined the fight in World War II, The Three Stooges satirized Adolf Hitler and the entire Nazi regime in several popular Stooge comedies. When this was brought to the attention of Der Fuehrer, Stooges Curly, Moe, and Larry quickly joined Jack Benny and Charlie Chaplin on Hitler’s personal death list. All of these Hollywood comedians ridiculed Hitler on the silver screen, and all were given the so-called death sentence by the Nazi dictator as a result.

“Even diehard Three Stooge fans are in for a surprise when they find out how much they did not know about their favorite comedy team,” says co-author Tom Forrester. Forrester continues, “Here is some trivia for you-one of Ted Healy’s Stooges (Jack Wolf) was the father of the New York TV sportscaster Warner Wolf. Also, Mousie Garner, who was one of the Stooges with Ted Healy, is still entertaining audiences with Stooge-style comedy. He is now 92 years old and he tours the country as the Grand Old Man of Vaudeville. Most fans have no idea just how deep The Three Stooges roots extend in the history of American comedy.”

Other men who performed with Ted Healy as Stooges were Dave Chasen, Dick Hakins, Freddie Sanborn, Red Pearson, Bobby Pinkus, Frank Mitchell, Jimmy Brewer, Sammy Wolfe, Lou Warren, and Kenny Lackey.

(Some of the recollections of events contained in the new Forrester’s book are controversial and contradicted by the recollections of others. The opinions contained in the book are not necessarily those of C3 Entertainment, Inc. C3 urges the fans to read the book and make their own judgments.)
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1. Which two Stooges were always a part of The Three Stooges?

2. What was Moe Howard’s favorite Three Stooges’ short?

3. How do Larry and Moe thaw out Curly frozen in the back of an ice cream truck?

4. The pledge “for duty and humanity” came from this Three Stooges’ short.

5. In Flat Foot Stooges, who mistakenly flew from New York to Ireland instead of California?
Comedy III Productions is proud to present the definitive source book for the world famous comedy team The Three Stooges. The first and only Official Filmography and Three Stooges Companion is dedicated to every film produced with The Three Stooges over the last 75 years. “The Complete Three Stooges” is over 550 pages and beautifully illustrated with hundreds of rare Three Stooges Photos from The Three Stooges archives of Comedy III Productions.

“The Complete Three Stooges” is authored by Stooge scholar and researcher, Professor Jon Solomon. Currently a professor at the University of Arizona, Jon Solomon has authored, edited and translated numerous books. Like the true Three Stooges fan that he is, Solomon has meticulously researched and studied every film in which the Three Stooges appeared: from their first film, Soup to Nuts (1930), to their last, Kook’s Tour (1970), over 220 films are reviewed and carefully analyzed. More than 5 years in the making, this is the greatest tribute to the kings of comedy. “The Complete Three Stooges” is every Three Stooges fan’s dream guide to The Three Stooges vast library of films.

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