



...*Nous Non Plus* album reviews and sordid details...

LA Weekly
Jan 21, 2006

Vive Le Rock!

Nous Non Plus are (mostly) American rock & roll kids pretending to be French, which is way better than the reverse

BY STEFFIE NELSON

Last summer, the members of New York City's *Nous Non Plus* were still a kitschy fake French band called Les Sans Culottes (in honor of the pants-challenged revolutionaries who overthrew the Bastille), and they'd just axed their leader. Unfortunately, he was also a lawyer, and took them to court over the use of the band name. After thundering the best line in recent judicial history — "You're going to have a *bad hair day* in this courtroom!" (we're not making this up) — the judge found for the plaintiff. And so, armed with nothing but the pants covering their asses, the songs in their hearts and *perfect hair, merci beaucoup*, bandmates Celine Dijon, Jean-Luc Retard and their cohorts had to start anew.

They took Serge Gainsbourg's famed sex-you-up duet, "Je T'Aime (Moi Non Plus)," as the inspiration for their new name. Translated literally, *Nous Non Plus* means "neither do we." As in: "Gee, I don't get what happened with Les

Sans Culottes." "Yeah, neither do we."

What seems to have happened, though, is that a fake French pop band became a (more) real, attorney-free rock band — which is much better, anyway. *Nous Non Plus* have been, how you say, *liberated*, and their exuberant new self-titled album, written and recorded and released within a matter of months, is currently in *CMJ*'s Top 10 with heavies like Wilco and *My Morning Jacket*.

"It kind of gave us a new lease on life, to be able to change our lineup and our sound a bit," says vocalist Verena Weisendanger (a.k.a. Celine Dijon).

"My goal was to create something original that has echoes of influences but isn't obviously derivative," adds singer/bassist/producer Dan Crane (a.k.a. Jean-Luc Retard). "We're not a cabaret act."

"Lawnmower Boy" hitches a glam piano to a Ramones guitar riff, while "Tant Pis Pour Toi" is a new wave kiss-off to that lawyer dude. Both "Premier Baiser" and "Le Chateau" — an homage to Hollywood's own Chateau Marmont — are dreamy ditties with twee synth flourishes à la Air. And naturally, a favorite subject is Paris... Hilton. The Euro-disco number "One Night in Paris" has already been remixed to accommodate the heiress' newest boyfriend, Stavros Niarchos. "Obviously, I track her every move," says Crane, "so when she starts dating somebody new, I'll just modify the song and post it on the Web site."

Sadly, Crane's dedication to the mother tongue doesn't run so deep. Despite her Germanic name, Weisendanger is, in fact, the only actual French member of *Nous Non Plus*, and she still has to write the lyrics down phonetically so Crane doesn't mangle the pronunciation. "It may as well be Japanese," he laughs. "Or Farsi." □



Nous Non Plus • El Cid, Friday, Jan. 20 • Tangier, Sun., Jan. 29

BUST Music Issue
Jan 24, 2006



NOUS NON PLUS
Nous Non Plus
(Aeronaut)

When the *merde* hit the fan between members of faux France-meets-Brooklyn mélange Les Sans Culottes, the group dropped lead singer Clermont Ferrand but fought in federal court to keep their name. In the tradition of French surrender, however, Céline Dijon and Jean-Luc Retard gave up and started *Nous Non Plus* (translated as "We Neither" or "Us No More"). And with their new album, the band has one thing to say to Monsieur Ferrand: "Tant Pis Pour Toi!" ("Too Bad for You!")

Nous Non Plus boasts the musical muscles that Les Sans Culottes lacked, and the result is one *fête* Ferrand will be sorry he missed. The 10 songs move between '60s style faux-French pop, punk-rock circa 1976, and sweet Edith Piaf-meets-dreamy-indie ballads that overflow with confident *savoir faire*. My new favorite song is "One Night in Paris," a hilarious tribute to everyone's favorite heiress that muses: "What's a soup kitchen?/ I don't know either/ But that's hot, that soup is hot!" I surrender. [RACHEL WEEKS]

How things are happening in the city
MUSIC

Plus ça change

Pardon their French, but ...Nous Non Plus are better off sans les Sans Culottes

by RUPERT BOTTENBERG
There's something funny, and perhaps a bit sad, about an artist stage-named Jean-Luc Retard stating, "I want to be taken seriously." Funnier and sadder still, though, is the legal ordeal that bassist Retard (Dan Crane to his mom) and his bandmates in what's now ...Nous Non Plus went through after the less-than-amicable breakup of the band's previous incarnation, les Sans Culottes. Check out Crane's recounting of the sordid affair at slate.com, Oct. 24, 2005, for all the gory details.

Frontman Clermont Ferrand, a lawyer by day, held on to the original name and intention—a snarky, faux-French celebration of '60s Gallie pop—but the last laugh goes to Monsieur Retard, singer Verena "Celine Dijon" Weisendanger (the only authentic Française in the equation) and the rest of Ferrand's mutinous crew, who headline a night at the Under the Snow mini-fest.

"Basically," says la Dijonnaise, "the musicians are the same, so the songwriters are the same. Only one

person is missing, and he was—I don't know how much we want to talk about this, but he was kind of a negative force in the band, and didn't allow us to be as expansive as we wanted to be. Jean-Luc can tell you that he was forbidden by Clermont Ferrand to sing more than one song per set. There were these weird, stupid little rules."

The reincarnation process allowed them a few digs—the band name for one, taken from Serge Gainsbourg's "Je t'aime... moi non plus," and the spiteful if catchy number "Tant pis pour toi" on NNP's self-titled debut disc. It also gave them a chance to expand their musical scope, drawing in glummy punk, sleazy disco (the hearse-baiting "One Night in Paris"), neo-synthpop, Côte d'Azur kitsch and even some really pretty chansons, no gag or punchline attached.

"That was a very deliberate shift on our part," say le Retardé. "I'm a fairly serious musician, and it was always a struggle for me that people perceived les Sans Culottes as a novelty band. I didn't want to be in a novelty band, and that's part of the



STILL NO CULOTTES: ...Nous Non Plus

reason why I had issues with Clermont Ferrand. I want to have the element of humour, and for people to have fun, but I also want to be able to express some interesting ideas musically and lyrically, and be taken seriously, even if part of what we're doing is intentionally comical."

You'd think those straightforward French songs might be a harder sell to the largely unilingually-anglophone audience in the States, mais pas du tout.

"The songs that are most popular right now are French ones," says Dijon. "I mean, 'One Night in Paris' is a total favourite, for many reasons, but 'Lawnmower Boy' is in French, and that's one of the favourites of kids everywhere on the Myspace, and people reviewing us. Also 'Fille Atomique'—both are French, so that hasn't been a barrier."

"We're fortunate to be part of a change in musical perception that's going on," adds Retard. "I don't

think we would have been number six on the U.S. college charts for two weeks, and in the top 10 for four, if it was that hard of a sell. My take on it is that people want to hear something that's unique and new, and doesn't sound like another Strokes or Libertines, something that establishes its own world—whether that world is in French or English." ■

WITH LE NOM AND MC GILLES AT DIVAN ORANGE ON FRIDAY, MARCH 3, 9 PM, \$12

Voir – Montreal / Québec Mar 2006

MUSIQUE

JE T'AIME MOI NON PLUS

Nous non plus, qui portait autrefois le nom de Sans Culottes, donne toujours dans un rock'n'roll aux touches françaises des années 60, mais le fait avec plus d'inventivité. Et sans se prendre la tête, jamais.

Ne possédant pourtant aucune autre prétention que de faire de la musique pour s'éclater, ces «faux Français» de Brooklyn ne fauront pas eu facile au cours des derniers mois. C'est devant un juge qu'ils se seront retrouvés l'été dernier, alors qu'ils souhaitaient se débarrasser de Clermont Ferrand, un des membres qui avaient fondé les Sans Culottes en 1997. «Il était méchant et on

ne l'aimait pas», lance sans aucun détour la chanteuse Céline Dijon, la seule vraie Française du lot, pour le reste composé de membres d'origine américaine. «Nous étions la majorité à désirer son départ (cinq des sept membres), mais ça ne lui a pas plu du tout, et comme il était avocat de métier, il nous a entraînés en justice. Ce fut le gros drame, c'était horrible et très triste.» À l'issue de ces démêlés, le

musicien mis de côté a pu garder l'appellation Sans Culottes, il a recruté de nouveaux musiciens avec qui il continue à se produire sur scène en jouant les anciennes pièces du groupe.

En guise de bras d'honneur à cet homme et à cet épisode, l'équipe a donc adopté le nouveau nom de Nous non plus, qui rend du même coup hommage à la chanson Je t'aime moi non plus de



Céline Dijon: «On s'amuse tellement que c'en est contagieux, et tout le monde a du bon temps.»

Gainsbourg, l'un de leurs maîtres à penser aux côtés des Dutronc, Hardy et autres figures phares de la chanson française des années 60. Car bien que le groupe (complété par Carl d'Homme, Bonnie Day, Morris Chevrolet, Jean-Luc Retard, Harry Covert et François Hardonne) mélange de nombreuses influences (rock garage, punk, quelques touches d'électro), son amour pour la tradition française est transposé aux compositions et en demeure la principale particularité.

Et en réaction à ces bouleversements internes, des transformations se sont naturellement opérées dans le son. Celui-ci possède davantage ses propres couleurs; les influences sont moins fixées dans l'époque yéyé. «On n'a pas cherché à changer de style. Nous avons encore les mêmes racines, explique la chanteuse. Mais comme je compose plus de chansons, c'est un peu plus léger du côté des paroles. On s'amuse toujours comme des malades, mais musicalement, c'est plus sérieux et plus raffiné... On s'éloigne du côté pastiche pour intégrer des éléments plus modernes.»

Comme chacun fait de la musique à titre de loisir, en parallèle à sa réelle carrière (le groupe compte un journaliste, un champion de air guitar, un professeur de science politique, un traducteur littéraire ainsi qu'un critique culinaire et sommelier), cela ne laisse pas beaucoup de temps aux tournées, et les spectacles deviennent donc des moments privilégiés de pur plaisir. Humour et dérision sont à l'honneur dans les chansons, et il en va de même sur scène: «En fait, notre recette est très très simple: on s'amuse tellement que c'en est contagieux, et tout le monde a du bon temps. Les gens viennent souvent nous voir pour nous dire que c'est le meilleur show qu'ils ont vu depuis de nombreuses années.» ■

CLÉMENCE RISLER

Le 3 mars
Au Divan Orange
Voir calendrier / Rock / Pop



SPOTLIGHT

...NOUS NON PLUS

...Nous Non Plus
(Aeronaut Records)

They may be snooty jerks, but the Frenchies express their disdain for all things American in such a pretty-sounding way that I will usually listen to anything they put out. Okay, the members of ...Nous Non Plus mostly aren't from France, they're from NYC, another place rampant with snooty jerks and great music. Thus, ...Nous Non Plus (a different incarnation of Les Sens Culottes) combines French pop-rock with a healthy dose of American humor. For one thing, band members' names include Celine Dijon and Francois Hardonne. And though they have actual French-trilling girl singers, they let their American "chanteur" sing in a bad French accent such bad lines as "E's an heir/ 'E's got good hair." Poppy and sexy in a '60s ya-ya way, ...Nous Non Plus do their respective countries proud. —Colleen Kane

Nous Non Plus
Self Titled
(Aeronaut)
★★★



French rock band with one French member? Quel dommage, but who cares because they're a bilingual power-pop band mixing in American style. Playing uptempo songs like "Lawnmower Boy" or using their seductive vocals in ballads like "La Ballade De Tourette," it's worth learning the language of love. Ça c'est bon.

CHARTS



HOT LIST

ROLLING STONE editors' favorite albums, singles and videos

1 The Raconteurs
"Steady, as She Goes"
 Hot-combo alert! Jack White and Brendan Benson form power-pop dream team. But not all combos are so successful - hence the restraining order our old roommate just placed on us. Hey, Arturo, lighten up!

2 Pink
"Stupid Girls" video
 Pink indicts Jessica Simpson and Paris Hilton as bad role models for young girls in her

College Radio Top Ten Albums

1 Clap Your Hands Say Yeah
 Clap Your Hands Say Yeah - Self-released



- 2 Cat Power**
The Greatest - Matador
- 3 The Strokes**
First Impressions of Earth - RCA
- 4 We Are Scientists**
With Love and Squalor - Virgin
- 5 Wilco**
Kicking Television: Live in Chicago - Nonesuch
- 6 Arab Strap**
Last Romance - Transdreamer
- 7 Bell Orchestre**
Recording a Tape the Colour of the Light - Rough Trade
- 8 Test Icicles**
For Screening Purposes Only - Domino
- 9 The Subways**
Young for Eternity - Sire/Warner Bros.
- 10 Nous Non Plus**
Nous Non Plus - Aeronaut

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Local Favorites



Top-selling albums for the week ending February 1st, 2006, at Underground Sounds, Louisville, KY.

- 1 Cat Power**
The Greatest - Matador
- 2 Tortoise and Bonnie Prince Billy**
The Brave and the Bold - Overcoat
- 3 Thelonious Monk Quartet With John Coltrane**
At Carnegie Hall - Blue Note
- 4 The Greenhornes**
Sewed Soles - V2
- 5 MF Doom**
Special Herbs, the Box Set: Vols. 0-9 - Nature Sounds
- 6 Robert Wyatt**
EPs - Hannibal
- 7 Anthony Hamilton**
Ain't Nobody Worryin' - So So Def/Zomba/Arista
- 8 My Morning Jacket**
Z - ATO/RCA
- 9 The Budos Band**
The Budos Band - Daptone
- 10 Konono N°1**
Congotronics - Crammed Discs

[Splendid](#)
12/12/05

The breakup of Les Sans Culottes, the semi-legendary (mostly) *faux* French Brooklyn band that every arch-ironic hipster in Williamsburg knew and loved, has *got* to be the best-documented indie rock spat of the last decade. Not only were the group's escalating personnel difficulties delineated in a "[Diary](#)" feature on [slate.com](#), but the legal wrangling that followed the inevitable and acrimonious split received its own feature in the same publication's "Culturebox" section. In any case, the band's core re-formed, *sans* the Culottes' more problematic members, and decided to call themselves Nous Non Plus. And Nous Non Plus has, in essence, released the next Les Sans Culottes album, band name be damned.

Therefore, if you dug the Culottes' *faux*-French shtick and knack for penning pop hooks, you'll find them intact here, despite the fact that the former group's chief songwriter is not present in this incarnation. The songs are all sung either by a sultry, Frenchy lady, or by husky, *faux*-Frenchy gents, and while a few tracks come out in French-accented English (for example, the insouciant "One Night In Paris", which concerns the allures and defects of everyone's favorite

heiress), the lion's share are sung in an unrestrained Gallic frenzy so earnest in its archness that it doesn't really matter who in the band comes from the land of Asterix and who doesn't.

Nous Non Plus is one undeniable pop gem after another, from "Tant Pis Pour Toi" continental disco to "L'Amant"'s folksy strum and rich strings, to "Fille Atomique"'s sunny, garage-friendly pop, to "Premier Basier"'s sophisticated, jazzy groove. These *filles et garçons* get their points across regardless of your French-language skills. If there's anyone who can resist "Lawnmower Boy"'s pure, unadulterated bliss, you don't want to have anything to do with him. He's probably a Bill O'Reilly fan.

This is one of those rare albums of which you can truly say that its greatest handicap is a relatively short running time. Instrumental closer "Après Soleil", with its Santo and Johnny-style guitar and dreamy sway, fades away at the 39 minute mark -- at which point you'll press the play button once more, and sing along in your best pidgin French, complete with the finest Clouseau accent you can muster. After all, if pretending to be French is good enough for the guys in *Nous*, it's good enough for you.

-- Brett McCallon

[Slipcue.com](#)

Nous Non Plus "...Nous Non Plus" (Aeronaut, 2005) □

An outstanding album by this spinoff of New York's faux-French frogpop band, Les Sans Culottes (which imploded among "creative differences" in 2004...) Unlike the various Sans Culottes albums, this disc seems like less of a one-note joke, displaying instead greater musical depth and variety, ranging from breathy, Françoise Hardy-esque ballads to nervy '77-style punk, jittery technobleepery *ala* StereoTotal, steamy Roxy Music-ish synthpop and New Wave, dreamy modern indie stuff... all done with great aplomb. The French-language lyrics remain blithe, silly and self-mocking, but the musical chameleon act is quite impressive. This is a darn good record; definitely worth checking out... If you liked Les Sans Culottes, then this disc will blow your mind.

[Miami New Times](#)

***Nous Non Plus* (Aeronaut)**

BY RAY CUMMINGS

Published: Thursday, December 1, 2005

Bi-continental septet *Nous Non Plus* scares up sumptuous, blasé cool on its self-titled debut, whipping elements borrowed from the Strokes, Stereolab, and the B-52s into delectable French pastries. And so we get delights like "Lawnmower Boy," where the band makes like Guitar Wolf on a New Wave kick; the disco hip-shake quake of "Tant Pis Pour Toi," as mirrorball-infectious as anything in Franz Ferdinand's arsenal; and "Monikini," a swank, horn-chart fiesta whose chorus consists of unisex *baaaaaas*. But the luxurious bubblebath lullaby "Premier Balser" makes for the record's tastiest dish: harplike guitar blush, fluffy trumpets, and Mellotron-like keyboards swishing languidly about as lead vocalists Celine Dijon and Jean-Luch Retard stage-whisper sweet nothings back and forth to one another through the scented steam.

□

[Babysue.com / January 2006](#)

[...Nous Non Plus](#) - ...*Nous Non Plus* (CD, [Aeronaut](#), Pop)

□ Really great upbeat escapist dance pop. ...**Nous Non Plus** was formed from fragments of **Les Sans Culottes**. As such, they are continuing with the same basic mission...writing and recording what *sounds*

like French pop...but really *isn't*. This band seems more groove oriented than Les Sans Culottes. The rhythms are more dance friendly and direct. Simultaneously hilarious and catchy, the tunes on this debut album are incredibly effective...each sticking with the listener like mental super glue. The band consists of **Celine Dijon**, **Jean-Luc Retard**, **Bonnie Day**, **Cal d'Homage**, **Professeur Harry Covert**, **Morris "Mars" Chevrolet**, and **Francois Hardonne**. Far from being a mere joke band, the folks in ...Nous Non Plus are providing high quality music that is unique and hypnotic. Ultra creative tracks include "L'Amant," "Lawnmower Boy," "Monokini," and "La Ballade de Tourette." Highly recommended. (Rating: 5+++)

[Orlando Weekly](#)

12/15/05

By **Jason Ferguson**

The members of NNP have funny French pseudonyms and they met at the Rhode Island School of Design. (Although I'm just assuming that they're pseudonyms, the odds are pretty good that the singer was not born with the name Céline Dijon, nor do the bassist's parents call him Jean-Luc Retard.) While the in-joke of the band's goofily Gallic concept is easy to ascribe to collegiate shenanigans, you'd be doing yourself a grave disservice to dismiss Nous Non Plus as being too smart for their own good. In fact, the best thing about this self-titled debut is how much stupid fun it is. Having yet to determine exactly what they want to sound like, François Hardonne (stop me now) and the rest of the band throw a little bit of Plastic Bertrand, a soupçon of Laetitia Sadier and a whole lot of Jane Birkin into the mix. Thus, it swings some ("Monokini"), gets raunchily funky ("One Night in Paris"), loses itself in atmospheric groove ("Après-Soleil") and never allows its knowing wink to turn into a condescending leer. Which makes it not very French at all.

[Love Has No Logic.com](#)

Is that Freedom Rock? Then turn it up!!!

November 25th, 2005 by [Mike](#)

What do you get when you cross a slew of non-native french(wo)men, over the top sexual energy, fuzzed out guitars, up and down bounce-a-second rhythms, a background in design and an ex-members tag that admittedly means absolutely nothing to me? An album that would be impossible for me to hate, that's what.

Much in a similar fashion that I imagine Japanese music lovers obsessing to no end over their favorite American sounds based off of stories I've heard and bands I've talked to, I obsess over all things European and pop. Throw in an accent, foreign language, some keyboards and some ultra tight melodies and I'm hooked like a three-eyed fish. **Nous Non Plus'** debut album is nothing short of perfect with it's rough around the edges guitars, simply too good to be true multi-dueling (how do you refer to three? tripletted, trilling, trinourmous, voiceriferous tri-force?) vocals, unassuming rhythm section and super smooth keys. Me = swoon. Love it.

Record comes out Tuesday. Record release show at Mercury Lounge in NYC on Dec. 1st.

Oh, and how cute as shit is that cough halfway through the song at the beat break? Yeah, try not to love this one.

[San Diego City Beat](#)

NOUS NON PLUS: ...Nous Non Plus
(Aeronaut)

Goes Well With: Serge Gainsbourg, Nouvelle Vague, Camus Conundrum White

In a world filled with sour shoegazing and psuedo-political pop-punk, it's easy to lose sight of life's simple pleasures: a sip of wine, the taste of fine brie and the gentle sounds of a feminine voice talking about threesomes. Sounds lovely, oui?

The debut of the New York band formerly known as Les Sans Culottes (minus a member or two) is a tongue-in-cheek romp through overblown sexual and euro-trash themes, flavored liberally with electronica à la Casio, disco and Yé Yé pop. French speakers will get more of the layered humor, but English-only types get their share as well, such as in "Le Château," which serves up an all-to-common problem: "The sun is shining/on the Château/last night's party/too much blow/rock stars' mothers/and some guy named Terry/garçon, si vous plait/une Bloody Mary." OK, so we can't all relate to such an extravagant dilemma, but at least we can get a cheap giggle and dream what it would be like to taste le vie jolie.

The album has some lovely and hilarious moments amid a bit of merde. But fast-forward past some of the lesser kitsch, lay out some apples and a bit of soft cheese. Fill those glasses with a nice white and hope that your lover isn't completely unable to laugh at such referential delectables.

12/14/05

[Neumu.net](#)

Nous Non Plus are an offshoot of the great Franco-Brooklyn-esque Les Sans Culottes, and, if you speak French, I believe you can get the full story of their battle for the heart and soul (and brand name) of this synth and drum-machine-enhanced Euro-pop predecessor in "Tante Pis Pour Toi" ("Too Bad for You"). The song mentions the former and current names of the band, and it has a wah-wah laced, disco-rhythmed "fuck you" vibe that's instantly recognizable, if not translatable. Even at its bitterest and most biting, however, this is a band that manages to keep the dance beat going, and its self-titled debut is as sexy, as fun, as party-ready as you could ask for. That the band is not actually, literally French (with the exception of Celine Dijon) adds an intriguing layer of irony to the whole enterprise. As those characters in French 101 foreign language films are always saying, "Formidable!"

Vocals here are divided between the peppily feminine Celine Dijon (that's her very fit-looking abdomen on the CD cover) and the whispery seduction of Jean-Luc Retard, and both have their moments. Celine tends to dominate the upbeat, rock-oriented cuts like "Fille Atomique" and "Tante Pis Pour Toi" while Jean-Luc wreathes the talk-sung "One

Night in Paris" and "Le Chateaux" in Gauloise smoke. It's worth mentioning that "One Night in Paris" is not actually about finding a hotel on the Left Bank, but rather Paris Hilton. Lyrics are sly ("Her smile...is like a dare...it says to me...no underwear") and stylishly insinuating, riffing on Paris' fiancé ("She loves Paris... he is an heir... he has good hair") her dog and her TV show. The disco beat is totally plastic, as ironic and stylized, in its way, as the words. It probably wouldn't sound as perfect without the French accent, but as it is, the song is sexy and funny and mildly outrageous.

Celine gets her tongue-in-cheek moment with "Monokini," surely the lost film score to a movie starring Catherine Deneuve with a scarf over her hair. It's got breezy Herb Alpert brass and ba-ba-ba harmonized vocals, everything feather-light and couture designed. It ends with Celine admitting that she's forgotten to bring her monokini (the bottom half of a two-piece) to the beach, but it doesn't sound like it's going to keep her from sunbathing.

The album includes some very pretty, very ye ye girl ballads. "Premier Basier" is airy, lightly sung French pop, quite possibly as ironic as the rest of the album, but not as obviously so. "La Ballade de Tourette" is achingly pretty, melodic whispers of stylized regret and lost love. "Apres-Soleil," with its luminous guitar chords and snare-brushed backbeat, is all bright-toned instrumental melancholy. It's not as much fun as "One Night in Paris" or "Fille Atomique" but there's no denying it's well done.

by Jennifer Kelly

Slate.com

culturebox

Nom de Guerre

How my faux French band wound up in federal court.

By Dan Crane

Posted Monday, Oct. 24, 2005, at 5:34 AM ET

On June 20, 2005, my faux French band Les Sans Culottes showed up for our strangest gig to date: an appearance in federal court.

I can only imagine what was going through the mind of the Honorable Richard C. Casey. Here was a judge who had presided over numerous prestigious cases (he rendered the verdict declaring the Bush administration's 2003 partial-birth abortion ban [unconstitutional](#)). He now commanded the bench before a splintered band that, for the last seven years, had dressed in psychedelic outfits, playing loud music in stinky bars while pretending to be French. I suspect Judge Casey was thinking the same thing I was: *How did I get here?*

I can't speak for the judge, but Les Sans Culottes' journey to federal court began in 1998, when we came together to play music from the '60s French pop *yé yé* era. The band, whose initial ambition was to provide some dance music and enjoy free drinks, slowly evolved: We released several albums, charted

on college radio, were featured on NPR, and graduated from Brooklyn dive bars to headlining venues like New York's Bowery Ballroom.

Despite such success, we had our share of personnel issues. Band members fought, quit, and were occasionally voted off the island. When you spend so much time together, you become like family—in other words, dysfunctional. But what happens when relationships become so toxic that divorce is the only option? Who gets custody of the band's name?

There was always a healthy dose of friction among Les Sans Culottes, but things began to deteriorate seriously about a year and a half ago. Some readers may recall [my Slate "Diary"](#) from April 2004, when I alluded to the antagonism between myself (stage name Jean-Luc Retard) and the band's lead male singer (stage name Clermont Ferrand). Ferrand wasn't thrilled with my diary and was quite furious with my suggestion that he was responsible for a foul smell on stage ("12:17 a.m. Middle of set. Smell something hideous from stage left. Think, 'I wonder if Bill had time to eat a fish taco before the show.'"). But we were in a *faux French rock 'n' roll band from Brooklyn*—having a sense of humor was part of the deal, or so I thought. He didn't quite see it that way.

Nearly a year later, things between Ferrand and me remained contentious. (He had reportedly threatened me with violence if I attempted to share the stage with him again.) But I wasn't the only disgruntled Culotte: Céline Dijon, our star female singer and the only real Frenchie, said she felt so tyrannized by Ferrand that she bade adieu. And Ferrand allegedly told our guitarist and primary songwriter, Cal D'Homage, he would be dismissed from the band if he missed practice to attend a Passover holiday family reunion. The *merde* had hit the fan.

Rather than let *le bateau* sink under the misdirection of its captain, we opted for mutiny. We discussed an intriguing, revolutionary (our name, after all, was taken from the French Revolution's ill-clad posse known as the [sans-culottes](#)) idea: a coup d'état.

We notified Ferrand via e-mail (or sent him to the e-uillotine, if you will) that we would be continuing as Les Sans Culottes *sans* him. Days later, Ferrand sent us a cease-and-desist letter claiming we were in violation of his self-proclaimed "de facto" trademark (at the time, nobody had officially registered the trademark; although, once ousted, Ferrand did submit the application). Despite the letter, we played a packed show at New York's Lower East Side club [Sin-é](#). We thought Ferrand might show up and cause trouble, so, as a joke (mostly) Céline Dijon arrived on stage wearing handcuffs and a Kevlar bulletproof vest. The gig was violence-free, and we reveled in our newfound liberation.

The next day, we got served: Ferrand was suing us in the Southern District of New York.

That's *federal court*.

Did I mention that Clermont Ferrand is a lawyer?

Unlike copyright law—intended to protect the *creator* of a work—the primary function of trademark law is to protect the *public* from potential confusion arising from multiple versions of the same product. If Les Sans Culottes performed without Ferrand, or Ferrand formed another Les Sans Culottes with new musicians (which he quickly did), would the public be "confused"? Would the real fake French band please stand up?

We weighed our situation against the precedents. In 1964 Jack Ely, the lead singer of the Kingsmen, left the band before "Louie, Louie" charted. Years later, Ely recorded a new version of "Louie, Louie," and K-Tel International planned to release it as "The Kingsmen." The remaining members of the band, who had continued touring as the Kingsmen without the hit's singer, sued K-Tel and won. The court noted, "Given the collective sound of The Kingsmen, no single member of the group would be able to hold himself out as The Kingsmen without a substantial likelihood of confusion on the part of the public."

The Rolling Stones kicked out Brian Jones without litigation in 1969, though he had founded the band and come up with the band's name. And in 1980, a court ruled in favor of the existing members of Deep Purple who sued Rod Evans—the group's original singer and frontperson, who left the band in 1969—for touring with a new group under the same band name. Rock history seemed to be in our favor.

Also in our favor, according to a lawyer friend of mine, was that the judge hearing our case (a blind, notoriously cantankerous old man) did not "suffer fools lightly." In his opening statement, Ferrand hardly got a word in before being interrupted.

Ferrand: "Plaintiff's probability of success on this trademark infringement claim is established not just by the fact that he created the highly conceptual French band Les Sans Culottes ... "

Judge: "What does all that *mean*?!"

The judge became increasingly irate as our session wore on but was at least democratic in his verbal assaults. When he questioned our lawyer regarding the original concept of the band, things got ugly.

Our lawyer: "The band name itself was created by ... "

Judge: "I didn't *ask* you the name!"

Our lawyer: "The concept, yes ... "

Judge: "Don't *toy with me*, sir! You're going to have a *bad hair day* in this courtroom!"

How a blind judge would know the difference between a good or bad hair day was beyond me.

On our second day in court, our whole faux French thing continued to be a source of confusion for the judge ("What does 'ennui' mean?"). And at one point during questioning, he remarked, "This is painful." By the end of the day, he was so annoyed that he strongly suggested the fight might not be worth the effort and that we "might be better off doing something else." Nonetheless, we were told to return to court at 9:30 a.m. on July 18.

It quickly became clear we would be spending a lot more time in court, and a lot more money in legal fees (we had already spent more than \$8,000). Ferrand had all the time in the world—he represented himself.

So, in the true spirit of France, we surrendered. We turned over the band name and Web site to Ferrand. We kept our faux French identities (Jean-Luc Retard, Céline Dijon, Cal D'Homage, Maurice Chevolet, and Harry Covert) and formed a new band, ... Nous Non Plus, meaning "us no more" or "neither do we." We recently completed our first album with songs about [love](#) and [lawn care](#) and played a sold-out New York show.

If we'd had the resources to continue the legal battle, would we have won? We'll never know. Should we have signed an agreement a long time ago, so that this didn't have to be settled in court? Probably. Does losing the band name mean completely starting over? The jury is still out.

Dan Crane is a writer and musician living in New York. He is currently completing a book about his experience as a competitive air guitarist.

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