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6 Counsel for Plaintiff
7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 Teller, an individual,
11 Plaintiff,

12 v.

13 Gerard Dogge (P/K/A, Gerard Bakardy) an
14 individual,

15 Defendant.
16

Case No.

COMPLAINT FOR:

(1) Copyright Infringement
17 U.S.C. § 501 et seq.;

(2) Unfair Competition
15 U.S.C. § 1125(a)

Jury Trial Demanded

18 Plaintiff Teller, an individual residing in Nevada (hereinafter "Teller" or "Plaintiff"), by
19 and through his attorneys Greenberg Traurig, LLP, hereby demands a trial by jury and
20 complains and alleges against Defendant Gerard Dogge (P/K/A, Gerard Bakardy), an
21 individual, (hereinafter "Bakardy" or "Defendant"), as follows:

22 **NATURE OF ACTION**

23 This is an action for copyright infringement and unfair competition under federal
24 statutes. Plaintiff seeks damages, attorneys' fees and costs.

25 **JURISDICTION AND VENUE**

26 1. These Claims arise under the Copyright Act, 17 U.S.C. § 101 *et seq.*, and the
27 Lanham Act, 15 U.S.C. § 1051 *et seq.*
28

1 2. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C.
2 §§ 1331, 1338(a) and 1338(b).

3 3. This Court has personal jurisdiction over Defendant based upon the following:
4 (a) Defendant conducts business in Nevada, and (b) Defendant committed tortuous acts
5 that he knew or should have known would cause injury to Plaintiff in the State of Nevada.

6 4. Venue is proper in the United States District Court for the District of Nevada
7 under 28 U.S.C. §§ 1391(a) and 1391(b). Venue lies in the unofficial Southern Division of
8 this Court.

9 **THE PARTIES**

10 5. Teller is a professional entertainer and magician, who is part of the world-
11 famous magic and comedy duo Penn & Teller, and was at all relevant times herein, a
12 resident of Clark County, Nevada.

13 6. Upon information and belief, Defendant Bakardy is a professional entertainer,
14 musician and singer, who also performs magic, and is currently a resident of Fuerteventura,
15 Spain.

16 7. Upon information and belief, Defendant is doing business in the State of
17 Nevada, County of Clark.

18 **ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF**

19 **FACTS REGARDING PLAINTIFF’S RIGHTS**

20 8. Plaintiff is a professional entertainer and magician and part of the world-
21 famous magic and comedy duo Penn & Teller. Penn & Teller are famous in the magic
22 community for creating innovative magic tricks, and have become well-known in the United
23 States and throughout the world for their unique brand of entertainment, including both live
24 theater and televised shows that incorporate comedy along with unusual and cutting-edge
25 magic routines (hereinafter the “Show”).

26 9. Penn & Teller have enjoyed major national and worldwide success, including
27 sold-out runs on Broadway, world tours, Emmy-winning TV specials and hundreds of guest
28 appearances on popular television shows such as “Late Show with David Letterman,” “The

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1 Tonight Show with Jay Leno,” “Friends,” “The Simpsons,” “Chelsea Lately” and “Top Chef,”
2 to name a few.

3 10. Additionally, Penn & Teller had their own critically acclaimed television series
4 on the Showtime cable network called “Penn & Teller: BS!,” which was nominated for
5 thirteen Emmys and was the longest running series in the history of the network. Penn &
6 Teller also had a British television series called “Fool Us” that ran last year, and have a
7 show on the Discovery Channel called “Penn & Teller Tell A Lie.”

8 11. Penn & Teller have written two national best-selling books, hosted their own
9 Emmy nominated variety show for the FX network, starred in their own specials for major
10 networks ABC, NBC and Comedy Central and produced the critically lauded feature film
11 documentary “The Aristocrats.”

12 12. Currently, Penn & Teller are performing their live Show regularly at The Rio
13 All-Suite Hotel & Casino in Las Vegas, Nevada (“The Rio”), where it has been running for
14 over eleven years, making it one of the longest running, successful and most-beloved
15 shows in Las Vegas history. Penn & Teller’s long run at The Rio has earned them the
16 prestigious award of “Las Vegas Magicians of the Year” six times, including in 2011.

17 13. Plaintiff Teller has been instrumental in the success of the Show, and has
18 created many of the original comedy bits and magic tricks that have been featured in the
19 Show over the years. One of Teller’s most successful and lasting original magic tricks is a
20 dramatic work called “Shadows,” which is the subject of the instant litigation.

21 14. Teller created the highly innovative and unusual dramatic work “Shadows” in
22 1976, and obtained a U.S. Copyright Registration for it in 1983. True and accurate copies
23 of U.S. Copyright Office Certificate of Registration No. PA 469-609, and the deposit
24 materials submitted in support of the registration, are attached hereto as **Exhibit 1**.

25 15. “Shadows” essentially consists of a spot light trained on a bud vase
26 containing a rose. The light falls in a such a manner that the shadow of the real rose is
27 projected onto a white screen positioned some distance behind it. Teller then enters the
28 otherwise still scene with a large knife, and proceeds to use the knife to dramatically sever

1 the leaves and petals of the rose's shadow on the screen slowly, one-by-one, whereupon
2 the corresponding leaves of the real rose sitting in the vase fall to the ground, breaking
3 from the stem at exactly the point where Teller cut the shadow projected on the screen
4 behind it. Upon information and belief, the magic trick "Shadows" was the first illusion of its
5 kind.

6 16. "Shadows" has been performed by Teller in Penn & Teller's Show thousands
7 of times, including live and televised performances throughout the United States and the
8 world. In fact, "Shadows" has appeared in every Penn & Teller Show performed on and off
9 Broadway and in their national tours. It is the oldest, most venerated piece of material in
10 continuous use in Penn & Teller's Show, and while other material has come and gone, it
11 has remained as a universal favorite.

12 17. "Shadows," among all of Penn & Teller's repertoire, has an iconic quality as
13 the piece with the longest association to Penn & Teller's Show, and to Teller himself. It is
14 considered one of the rare new plots in the canon of 20th Century magic and is Teller's
15 principal claim to fame in magic history. In fact, "Shadows" is still a major part of the Show
16 currently running at The Rio, and it has been used so extensively and exclusively by Teller
17 that it has become his signature piece - millions of people in the United States and around
18 the world have seen Teller perform "Shadows," and have come to identify this signature
19 piece with its creator and source: Teller.

20 **FACTS REGARDING DEFENDANT'S CONDUCT**

21 18. Upon information and belief, Defendant is a Dutch professional entertainer,
22 and along with his wife is part of a musical singing lounge act duo, currently performing a
23 regular engagement in a hotel located in Fuerteventura, Spain (Canary Islands).

24 19. Upon information and belief, a part of Defendant's act also includes
25 performing magic tricks. True and correct copies of printouts of webpages from
26 Defendant's website at <www.losdosdeamberes.com>, showing that Defendant is in the
27 business of providing entertainment services in the nature of musical performances as well
28 as magic performances, are attached hereto as **Exhibit 2**.

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1 20. Upon information and belief, Defendant has traveled to Las Vegas, Nevada
2 and seen Penn & Teller’s Show at The Rio, including Teller’s dramatic performance of his
3 signature piece “Shadows.”

4 21. Without authorization from Teller, Defendant has created a magic routine that
5 is substantially similar to Teller’s copyrighted work “Shadows.” Defendant calls his magic
6 routine “The Rose & Her Shadow.”

7 22. Defendant has recorded a video of himself performing the dramatic work “The
8 Rose & Her Shadow,” and had posted it on the popular Internet website YouTube along
9 with an advertisement offering to sell the magic trick to consumers. True and correct
10 copies of screen captures of the YouTube pages containing the video “The Rose & Her
11 Shadow” are attached hereto as **Exhibit 3**.

12 23. In fact, in the text beneath Defendant’s YouTube video post, Defendant refers
13 to Penn & Teller’s Show, admitting that he has “seen the great Penn & Teller performing a
14 similar trick and now I’m very happy to share my version....” See **Exhibit 3**.

15 24. Upon information and belief, Defendant created an advertisement for the sale
16 of “The Rose & Her Shadow” trick, and has expressed his intention to Plaintiff to place this
17 particular ad in magazines in Belgium and potentially other countries as well. The
18 Defendant’s listed selling price for “The Rose and Her Shadow” is an amount equal to
19 approximately USD \$3,050.00. A true and correct copy of the intended magazine
20 advertisement for the sale of the magic trick “The Rose & Her Shadow” is attached hereto
21 as **Exhibit 4**.

22 25. On or about March 15, 2012, Plaintiff Teller became aware of the Defendant’s
23 video of “The Rose & Her Shadow” posted on YouTube, including the offer to sell the trick
24 to consumers shown at the end of the video, and recognizing this as an infringement of his
25 copyrighted work “Shadows,” Plaintiff instructed his attorneys to send YouTube a DMCA
26 takedown notice, eventually resulting in YouTube’s removal of the Defendant’s video from
27 its website.

28

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1 26. On or about March 22, 2012, Plaintiff Teller contacted Defendant by
2 telephone and notified him that Defendant’s work “The Rose & Her Shadow” was infringing
3 on Plaintiff’s copyrighted work “Shadows,” and also informed him of YouTube’s actions in
4 removing Defendant’s videos from the site. Plaintiff requested that Defendant cease all use
5 and offers to sell his infringing work “The Rose & Her Shadow;” however, Plaintiff did offer
6 to pay Defendant for his work, as it could more efficient than filing a lawsuit.

7 27. Defendant did not accept the terms offered by Plaintiff, but instead countered
8 with a much higher sum that he would accept in payment for him to cease use and sale of
9 the infringing work “The Rose & Her Shadow.”

10 28. Unfortunately, this higher payment offered by Defendant is unacceptable and
11 uneconomical to Plaintiff, and Defendant has refused to permanently cease use and sale of
12 the infringing work “The Rose & Her Shadow,” and upon information and belief, Defendant
13 continues to use the infringing work to date.

14 29. Defendant has recently threatened that if Plaintiff does not come to terms
15 soon, he will continue to use the infringing work “The Rose & Her Shadow” and sell it to the
16 public throughout the world. As such, Plaintiff has been forced to retain counsel to remedy
17 Defendant’s infringement.

18 **CLAIMS FOR RELIEF**

19 **FIRST CLAIM FOR RELIEF**

20 **(Copyright Infringement, 17 U.S.C. § 106)**

21 30. Plaintiff repeats and realleges each and every allegation in the preceding
22 paragraphs as though set forth fully herein.

23 31. Plaintiff’s work “Shadows” constitutes copyrightable subject matter, because it
24 is a dramatic work within the meaning of Section 102(a) of The Copyright Act of 1976 (“The
25 Copyright Act”).

26 32. “Shadows” is an original work of authorship fixed in a tangible medium of
27 expression from which it can be perceived. Plaintiff has taken all reasonable steps
28

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1 necessary to secure his copyright including obtaining a United States Copyright
2 Registration with the U.S. Copyright Office.

3 33. Plaintiff owns a valid copyright registration in “Shadows” and is the owner of
4 all rights, title and interest in and to said work, and owns all rights, title and interest to the
5 registered copyright of “Shadows,” and has done nothing to abandon the copyrighted work
6 or place it into the public domain.

7 34. Upon information and belief, and without the knowledge, approval or consent
8 of Plaintiff, Defendant willfully infringed and continues to infringe Plaintiff’s copyright by
9 reproducing, copying, duplicating, displaying, publically performing and using Plaintiff’s
10 copyrighted work for Defendant’s own commercial purposes by publically performing and
11 displaying Plaintiff’s work, and making unauthorized video copies of Plaintiff’s work for the
12 purpose of being hired for his entertainment services, and offering to sell the work to third
13 parties. Defendant has done so with full knowledge that such acts are an infringement of
14 Plaintiff’s copyright, and such acts being in violation of Plaintiff’s exclusive rights under The
15 Copyright Act.

16 35. Defendant’s past and present acts violate Plaintiff’s exclusive rights under
17 Section 106 of the Copyright Act, 17 U.S.C. §106, and constitute willful and intentional
18 infringement of the Plaintiff’s copyright in his work “Shadows.”

19 36. Defendant has realized unjust profits, gains and/or advantages as a
20 proximate result of its infringement.

21 37. As evidenced by Defendant’s copying, public performance, display and
22 prominent use of Plaintiff’s protected work for his own gain, Defendant’s disregard of
23 Plaintiff’s previous demands and his misappropriation of Plaintiff’s copyrighted and
24 registered work, Defendant has infringed upon Plaintiff’s copyright.

25 38. As a direct and proximate result of Defendant’s copyright infringement,
26 Plaintiff has suffered monetary damages and irreparable injury to his business, reputation
27 and goodwill.

28

1 39. Plaintiff has complied in all respects with the statutory requirements for the
2 creation and enforcement of the copyright in his work "Shadows;" therefore, Plaintiff is
3 entitled to an award of statutory damages for Defendant's infringement or, in the
4 alternative, Plaintiff's actual damages and Defendant's profits.

5 40. Furthermore, since Defendant's conduct has made it necessary for Plaintiff to
6 engage the services of outside legal counsel to file this suit, Plaintiff is entitled to recover
7 his reasonable attorney fees and court costs incurred in connection herewith.

8 **SECOND CLAIM FOR RELIEF**

9 **(Unfair Competition under the Lanham Act, 15 U.S.C. § 1125(a))**

10 41. Plaintiff repeats and realleges each and every allegation in the preceding
11 paragraphs as though set forth fully herein.

12 42. Defendant's use in commerce of his work "The Rose & Her Shadow," which is
13 confusingly similar to Plaintiff's signature piece "Shadows," in connection with Defendant's
14 entertainment services and related goods constitutes a false designation of origin and/or a
15 false or misleading description or representation of fact, which is likely to cause confusion,
16 cause mistake, or deceive as to affiliation, connection, or association with Plaintiff, or as to
17 the origin, sponsorship, or approval of Defendant's services, goods and commercial
18 activities.

19 43. Defendant's use in commerce of his work "The Rose & Her Shadow," which is
20 confusingly similar to Plaintiff's signature piece "Shadows," with the knowledge that Plaintiff
21 owns and has used and performed, and continues to use and perform, his signature piece
22 "Shadows" constitutes intentional conduct by Defendant to make false designations of
23 origin and false descriptions about Defendant's services, goods and commercial activities.

24 44. As a direct and proximate result of such unfair competition, Plaintiff has
25 suffered, and will continue to suffer, monetary loss and irreparable injury to his business,
26 reputation, and goodwill.

27 ///

28 ///

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests for judgment in his favor and against Defendant, granting the following relief:

A. A declaration that Defendant has infringed Plaintiff’s copyright in the work “Shadows;”

B. A permanent injunction preventing Defendant from using Plaintiff’s copyrighted work in any way, including but not limited to ceasing all use and offers for sale of Defendant’s infringing work “The Rose & Her Shadow;”

C. Awarding to Plaintiff, pursuant to 17 U.S.C. §504, all actual damages suffered by Plaintiff and all additional profits earned by Defendant attributable to the copyright infringement; or, in the alternative, awarding to Plaintiff the statutory damages provided by 17 U.S.C. §504;

D. Awarding to Plaintiff, pursuant to 17 U.S.C. §505, a reasonable sum as attorneys’ fees and costs incurred in prosecuting Plaintiff’s claim for copyright infringement;

E. A preliminary and permanent injunction prohibiting Defendant, his respective officers, agents, servants, employees and/or all persons acting in concert or participation with him, from using Plaintiff’s signature piece “Shadows” or confusingly similar variations thereof, in commerce or in connection with any business or for any other purpose;

F. An award of compensatory, consequential, statutory, and punitive damages to Plaintiff in an amount to be determined at trial;

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G. An award of interests, costs, and attorneys' fees incurred by Plaintiff in prosecuting this action; and

H. All other relief to which Plaintiff is entitled.

DATED: April 11th, 2012.

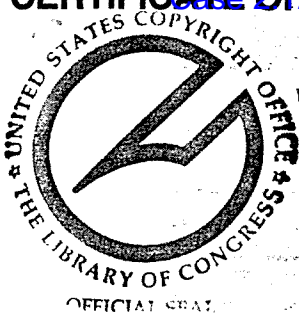
GREENBERG TRAURIG, LLP

/s/ Mark G. Tratos

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EXHIBIT 1



This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

FORM PA
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER
PAU 469-609

David Reed

REGISTER OF COPYRIGHTS
United States of America

PA (PAU)
EFFECTIVE DATE OF REGISTRATION
Jan. 6, 1983
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
Shadows

PREVIOUS OR ALTERNATIVE TITLES ▼

NATURE OF THIS WORK ▼ See instructions
pantomime drama

2 NAME OF AUTHOR ▼ **a** **Teller (pseudonym for Raymond Teller)**

DATES OF BIRTH AND DEATH
Year Born ▼ **1948** Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country **U.S.A.**
OR { Citizen of **U.S.A.**
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼
all stage directions and actions text

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of country
OR { Citizen of
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

3 YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **1976** ◀ Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published. Month ▶ Day ▶ Year ▶ ◀ Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
Teller
c/o J. Teller
2032 Cherry Street, Philadelphia, PA 19103

APPLICATION RECEIVED
06 JAN 1983

ONE DEPOSIT RECEIVED
06 JAN 1983

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE
94115 JAN 683

DO NOT WRITE HERE OFFICE USE ONLY

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

PAu 469-609

EXAMINED BY
CHECKED BY

- CORRESPONDENCE Yes
- DEPOSIT ACCOUNT FUNDS USED

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
- This is the first published edition of a work previously registered in unpublished form.
- This is the first application submitted by this author as copyright claimant.
- This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

none

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

none

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

none

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Teller
c/o J. Teller
2032 Cherry Street
Philadelphia, PA 19103

Area Code & Telephone Number ▶ 714-891-0602 or message 215-568-1194 ◀

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of _____
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

Teller (Raymond Teller)

date ▶ Jan 2, 1983

Handwritten signature (X) ▼
Teller (Raymond Teller)

MAIL CERTIFICATE TO

Name ▼	Raymond Teller
Number/Street/Apartment Number ▼	2032 Cherry Street
City/State/ZIP ▼	Philadelphia, PA 19103

Certificate will be mailed in window envelope

- Have you:**
- Completed all necessary spaces?
 - Signed your application in space 8?
 - Enclosed check or money order for \$10 payable to Register of Copyrights?
 - Enclosed your deposit material with the application and fee?
- MAIL TO:** Register of Copyrights, Library of Congress, Washington, D.C. 20559.

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

5

6

See instructions before completing this space.

7

Be sure to give your daytime phone number

8

9

SHADOWS

by Teller

SETTING: Stage center is a projection screen composed of a piece of paper 4 feet high and 3 feet wide, stretched on a frame, supported by an easel.

Six or seven feet directly downstage of the screen is a small spotlight at stage floor level. It shines up at the screen.

Between the two, supported on a little table, is a rose in a bud vase. The rose has a central stem topped by a red blossom, and a branch with leaves on either side.

When the spotlight is turned on, the vase and rose cast a sharp shadow on the screen.

CHARACTER: The Murderer. He carries a large, glistening dagger.

HISTORICAL NOTE: This gothic pantomime has been performed by its creator over 1100 times since 1976. It's about time he registered a copyright, don't you think?

Copyright 1983 by Teller

ACTION:

The stage is dark.

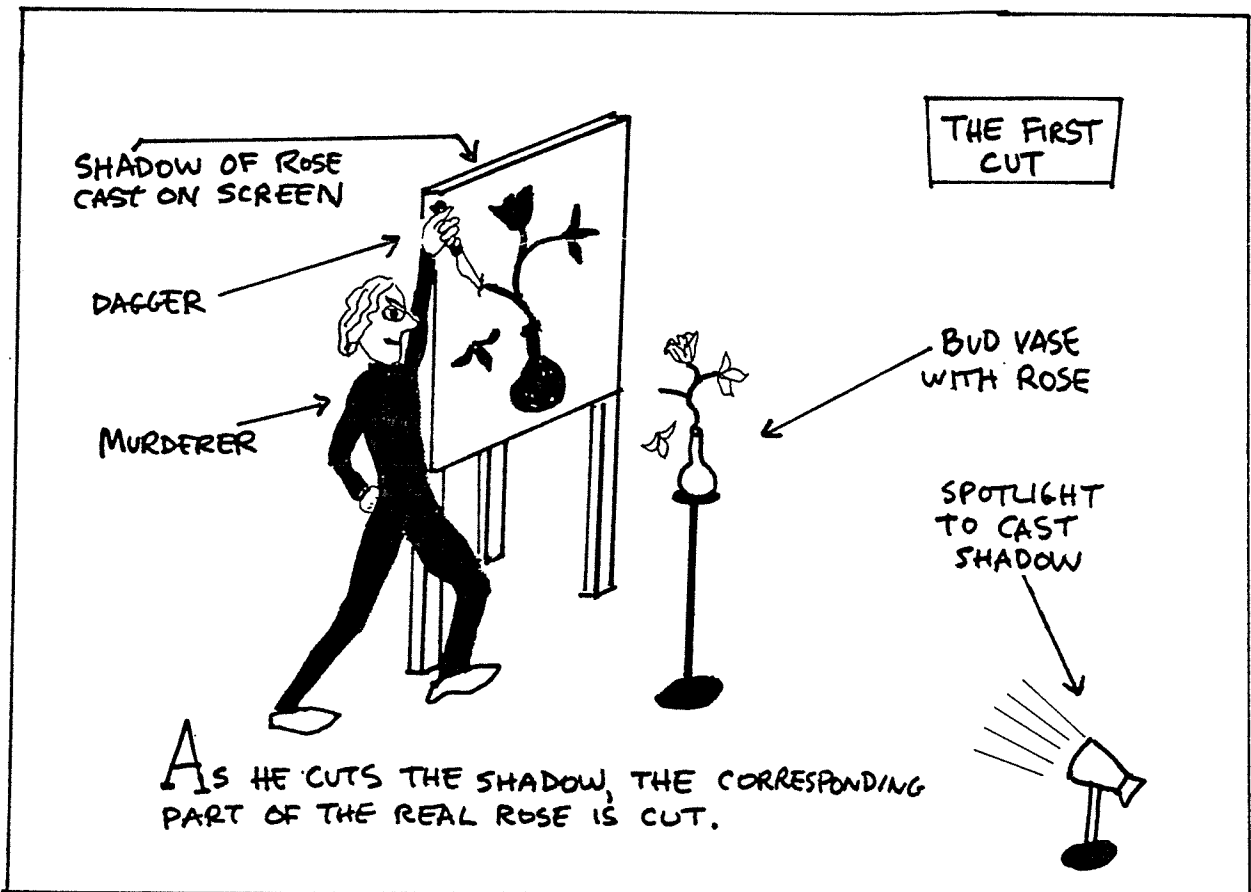
The spotlight is slowly illuminated, revealing the rose and the vase, and casting their shadows on the screen.

The Murderer becomes visible, lurking stage right, turning his dagger thoughtfully in his fingers.

He looks up and sees the rose. He takes a few steps towards it.

He notices the shadow, and takes a few more steps, bringing himself to the (stage right) edge of the screen.

He looks down at the (stage right) branch of the rose. He looks back at the shadow of that branch. He raises the dagger.



He places the tip of the dagger on the paper screen, just at the point where the shadow of the branch joins the shadow of the leaves. He stabs gently through the paper.

The (stage right) leaves of the real rose fall, breaking from the stem at exactly the point where the shadow was cut.

The Murderer pauses, then glides to the far (left) edge of the screen. He looks at the remaining (stage right) leaf-branch.

Again he cuts through the shadow, and again the corresponding real rose leaves fall.

He looks at the blossom.

He raises the dagger, placing its tip on the shadow of the stem just where it joins the blossom. He pierces the paper.

One by one petals start to fall.

He twists the knife. More petals fall. Only one remains.

He gives a final jab. The last petal drops off.

He lowers the dagger. He contemplates the stem of the rose, now pruned of its leaves and its flower.

As he turns the dagger thoughtfully in his fingers, he accidentally pricks his right thumb on the point of the knife.* He reacts, drawing a quick breath, and bringing his thumb quickly to his mouth to suck the blood from the wound.

Abruptly, as if struck by an idea, he looks at the rose stem, and up at the shadow of the rose stem. He lowers his thumb, looks at the wound, and up at the screen.

Slowly he raises his hand, thumb pointing downward, casting its shadow crisply on the brightest portion of the screen.

With his right index finger, he pushes along the pad of the thumb, as if trying to force blood out of the wound.

From the tip of the shadow of his thumb a small stream of blood emerges and, red and glistening, runs down the surface of the paper.

He sees the blood. He reaches up and touches the stream with the heel of his right hand. It is real.

He looks out startled towards the audience. As he turns outward, his hand slides down the stream of blood, spreading its color down the paper in a broad, butcher smear.

The light fades out quickly.

THE END

*Variation: He reaches out to take the stem of the rose, but, as he grasps it, he pricks his thumb on a thorn.

Copyright 1983 by Teller

EXHIBIT 2

Los Dos de Amberes - Microsoft Internet Explorer provided by Greenberg Traurig

http://www.losdosdeamberes.com/Los%20Dos%20de%20Amberes.html

File Edit View Favorites Tools Help


★ Favorites Los Dos de Amberes

Los Dos de Amberes Music Or Magic See the Magic Hear the Music
Biography References Film Photo's Cartoon Feedback Cont(r)act

In other words: The Two From Antwerp


Gerard

Born:	Belgium
Date:	21-03-'57
Nationality:	Dutch
Profession:	Entertainer
Instruments:	Accordion Drums Keyboard
Vocals:	English French German Dutch Spanish
Magic:	Close up Stage



Nadia

Born:	Belgium
Date:	30-09-'73
Nationality:	Belgian
Profession:	Entertainer
Instruments:	Guitar
Vocals:	English French German Dutch Spanish
Magic:	Close up Stage



Done

Music Or Magic - Microsoft Internet Explorer provided by Greenberg Traurig

http://www.losdosdeamberes.com/Music%20Or%20Magic%20.html

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Favorites Music Or Magic


Los Dos de Amberes **Music Or Magic** See the Magic Hear the Music
Biography References Film Photo's Cartoon Feedback Cont(r)act

That's the question ??

In a fine and subtile way

Music & Magic mixes during performance !

This is really a "Lovely way to spend an evening "



No
question at all !!

Los Dos de Amberes

=
Music and (&) Magic

Done

See the Magic - Microsoft Internet Explorer provided by Greenberg Traurig

http://www.losdosdeamberes.com/See%20the%20Magic.html

File Edit View Favorites Tools Help

★ Favorites See the Magic


Los Dos de Amberes Music Or Magic **See the Magic** Hear the Music
Biography References Film Photo's Cartoon Feedback Cont(r)act

See the Magic.... by not revealing it !

slide show Start diavoorstelling

What we believe is: **Magic has to be like Music !!**

Lighter than your meal !! Easy to see or listen to !!
Below is a sneak preview of our act.....Which is lighter than air !!!!!



The image displays a grid of nine small photographs arranged in three rows and three columns. Each photograph captures a different moment from a magic performance. The performers, a man in a dark suit and a woman in a black and white striped dress, are shown in various poses and actions, such as holding a wand, manipulating objects on a table, and interacting with each other. The background of all photos is a solid dark green, which makes the performers stand out. The overall layout is clean and professional, typical of a promotional website for a magic act.

EXHIBIT 3

* Live now: Cults performing at the SXSW festival in Austin.



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The Rose & her Shadow in Close up ! - Gerard Bakardy

Gerarreke



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Uploaded by [Gerarreke](#) on Mar 15, 2012

The magician cuts one by one the leaves from a rose... in her shadow ! But it happens in reality on the real rose which is standing 2 meters away from her shadow. Everything is separate and loose from each other, so how is this possible? This is the most Magical, romantic and beautiful illusion I know. I've seen the great Penn & Teller performing a similar trick and now I'm very happy to share my version in a different and more impossible way with you. It is so magical to manipulate a shadow! The audience is so surprised especially when they see that the stem and 'vase' filled with water are removed from the table ! In combination with the floating table effect, these are fur sure 'the' eye catchers' in my show.

It could be a wonderful and refreshing addition to all your coin or card tricks on show !

Thanks for watching my movie,

Category:

[Entertainment](#)

Tags:

[The rose her shadow](#) [Magic trick](#) [illusion](#) [Floating table](#) [Gerard Bakardy](#) [Penn Teller](#) [Magic \(illusion\)](#) [Card Tricks](#) [Revealed](#) [Coin](#) [Cards](#) [Magic Trick](#) [Criss](#) [David Blaine](#) [Magician](#) [Cool](#) [Amazing](#) [Tutorial](#) [Magic Tricks](#)

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The Rose & her Shadow in Close up ! - Gerard Bakardy

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0:58 / 1:51



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12 views

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The magician cuts one by one the leaves from a rose... in her shadow ! But it happens in reality on the real rose which is standing 2 meters away from her shadow. Everything is separate and loose from each other, so how is this possible? This is the most Magical, romantic and beautiful illusion I know. I've seen the great Penn & Teller performing a similar trick and now I'm very happy to share my version in a different and more impossible way with you. It is so magical to manipulate a shadow! The audience is so surprised especially when they see that the stem and 'vase' filled with water are removed from the table ! In combination with the floating table effect, these are fur sure 'the' eye catchers' in my show.

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Thanks for watching my movie,

Category:

0 likes, 0 dislikes

http://www.youtube.com/watch?v=BYmt7NtO85Y

* Live now: Cults performing at the SXSW festival in Austin.



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The Rose & her Shadow in Close up ! - Gerard Bakardy

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The magician cuts one by one the leaves from a rose... in her shadow ! But it happens in reality on the real rose which is standing 2 meters away from her shadow. Everything is separate and loose from each other, so how is this possible? This is the most Magical, romantic and beautiful illusion I know. I've seen the great Penn & Teller performing a similar trick and now I'm very happy to share my version in a different and more impossible way with you. It is so magical to manipulate a shadow! The audience is so surprised especially when they see that the stem and 'vase' filled with water are removed from the table ! In combination with the floating table effect, these are fur sure 'the' eye catchers' in my show.

It could be a wonderful and refreshing addition to all your coin or card tricks on show !

Thanks for watching my movie,

Category: Entertainment

Tags: The rose her shadow Magic trick illusion Floating table Gerard Bakardy Penn Teller Magic (illusion) Card Tricks Revealed Coin Cards Magic Trick Criss David Blaine Magician Cool Amazing Tutorial Magic Tricks

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All Comments (0)

see all

EXHIBIT 4

Wereld Primeur-Eerst in België

The Rose & Her Shadow ! Her Shadow !



Made in Belgium !!!
Klein verpakt - Groots effect
Volledig zelfwerkend !
Geen 'sleight of hand' !

Beter dan in
Las Vegas

Op het podium staat een tafeltje met daarop een met water gevuld flesje met daarin een roos ! Ongeveer 1.5 meter daarachter staat een wit bord of witte muur waarop de schaduw te zien is van deze roos, afkomstig van een bundelspotlicht die enkele meters voor de tafel staat. Dan komt de goochelaar, bekijkt rustig de hele situatie, benadrukt de schaduw door enkele bewegingen te maken, neemt een mes of schaar en begint stuk voor stuk de blaadjes van de bloem te snijden.... Maar niet van de echte bloem !! Hij doet dit in de schaduw bloem !!! Maar toch vallen de blaadjes van de echte bloem en uiteraard ook in de schaduw is dit te zien. Om de toeschouwer duidelijk te maken dat er geen 'onzichtbare' draadjes zitten tussen de echte roos en de schaduw roos loopt de goochelaar enkele malen tussen deze twee in alvorens hij een totaal 'kale' rozenstam verkrijgt.

De toeschouwers die denken een verklaring te kennen worden eens te meer ontgoocheld of moet ik zeggen 'begoocheld' als de goochelaar de stam uit het heldere flesje neemt, vervolgens het flesje van de tafel neemt en... leeg giet want er zat nog water in ook !!!

Iedereen zal met verbazing vragen:
"Hoe is het mogelijk ?"



2 vliegen in één klap !!
"The Rose & Her Shadow"
+
"Zwevend Tafeltje Illusie"
Mits een kleine voorbereiding
kan je twee illusies vertonen
met één investering !

Kies zelf je uitvoering :

Dubbele illusie – De Roos met Zwevende Tafel : 2.450€

Enkel de Roos met gewone tafel : 2.299€

Komt in één koffertje met volledige handleiding & DVD

Een onverlijfbare truc !!

Deze heb je voor het leven en zal de parel zijn in je optreden!

Meer Info ?

Bestellen!

Tel.: 0034.606.35.65.04.

Email: gerard-bakardy@hotmail.com

Youtube : Gerard Bakardy -The Rose & Her Shadow