

Patterson Belknap Webb & Tyler LLP

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John P. Schmitt
(212) 336-2849

March 2, 2006

By Email: domain@waxy.org

Mr. Andrew Baio

Re: “Bill Cosby Talks To Kids About Drugs;” House of Cosbys

Dear Mr. Baio:

We are counsel for Mr. William H. Cosby, Jr. Mr. Cosby is a world-famous comedian, writer, television and motion picture film actor and producer, creator of the popular children's animated cartoon series, "Fat Albert and the Cosby Kids" and "Little Bill," and a prominent philanthropist. Mr. Cosby has also recorded numerous albums, including the Grammy-award winning, "Bill Cosby Talks to Kids About Drugs" (the "Album"). Mr. Cosby has retained all rights, including copyright, in his contribution to the underlying material for the Album.

We recently became aware that you offer through your Web site located at www.waxy.org (the "Site"), unauthorized tracks from the Album. In the August 2005 portion of your Site (http://www.waxy.org/archive/2005/08/25/house_of.shtml), you claim that "to kick off Cosby Fest 2005, I'm hosting the entire Bill Cosby Talks To Kids About Drugs album from 1971." You then invite your readers to "download it now" from the linked-to Web page:

[http://waxy.org/random/audio/Bill_Cosby_-_Talks_To_Kids_About_Drugs_\(1971\)/](http://waxy.org/random/audio/Bill_Cosby_-_Talks_To_Kids_About_Drugs_(1971)/)

Copies of these web pages are attached.

Your unauthorized reproduction and distribution of the Album violates the U.S. Copyright Act, 17 U.S.C. 101 *et. seq.*, and can result in civil penalties. Accordingly, we demand that you (1) immediately cease and desist from reproducing and distributing unauthorized copies of the Album via your Site or otherwise, (2) stop advertising its availability via your Site, (3) destroy all copies of the Album in your possession and control (whether in electronic, digital or other format), and (4) notify me in writing as soon as possible but not later than five days after your receipt of this letter of your compliance with these demands and of the number of copies of the Album downloaded from your Site.

We have also recently learned that you offer via your Site (at http://www.waxy.org/archive/2005/11/12/house_of_shtml) a four-part animation entitled "House of Cosbys" featuring our client's name, voice and likeness. You also distribute another animation, which purports to be "House of Cosbys, Episode 5," featuring scenes from the introduction of the four-part "House of Cosbys," followed by a copy of our cease and desist letter to the creators of that animation, and another vulgar and extremely offensive animation that features our client's name.

As you are aware, you are not licensed or in any way authorized to use Mr. Cosby's name, voice or likeness for any purpose whatsoever. Your use of our client's name, voice and likeness in this manner violates our client's rights of publicity as well as other statutory and common laws prohibiting the misappropriation of an individual's name, voice and likeness and unfair competition.

Therefore, we demand that you immediately cease and desist from any use of our client's name, voice and likeness in any form, including the distribution of the "House of Cosbys" episodes 1 -5 via your Site or through links to any third-party Web sites.

We are authorized to take immediate action against you if you fail to take the action demanded in this letter.

This letter does not purport to be a complete statement of the facts or the law and is without prejudice to any of Mr. Cosby's legal and equitable rights.

Very truly yours,


John P. Schmitt

cc: William H. Cosby, Jr. (w/attach.)



WAXY.ORG

Home: Daily Log: House of Cosbys, You See

PROJECTS

Daily Log
 Waxy Links **NEW!**
 Upcoming.org **NEW!**
 Dictionary Domains
 Lost Friends
 GettingIt
 MP3 Calculator
 Metafilter Stats

Billing is a pain.
 Make it hurt less.



2ndSite - Spend less time
 invoicing your clients.
 Have more time for fun.

ADS VIA THE DECK

CONTACT

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 AIM: waxpancake

XML



Technorati Profile

AUGUST 25, 2005

I know it's strange to break a two-month silence for something like this, but I don't care. This is my blog, dammit, and I'll rant about six-month-old memes if I want.

For the last few weeks at work, we've been **obsessed** with [House of Cosbys](#). So obsessed that other departments are starting to worry about us; it's consuming our lives. I first linked to it back in March, long before the recent [legal threats](#) from Cosby himself, so I don't know why it's taken this long to infiltrate our brains. (I suspect one too many late nights on a recent deadline is ultimately to blame.)

But it has, so I want to share some Cosbyana for other potential Cosby-heads out there. If you haven't seen the first episode, watch the [high-res House of Cosbys pilot](#) before proceeding.

To kick off Cosby Fest 2005, I'm hosting the entire [Bill Cosby Talks To Kids About Drugs](#) album from 1971. Don't miss "Dope Pusher," a song about hard drugs sung/screamed by Cosby and a choir of kids, backed by some serious funk. [Download it now.](#)



I'm Web-Surfing Cosby, You See

- Outtakes from the [Curiosity Cosby recording sessions](#)
- Amazing Cosby Team Triosby fan art [one](#) and [two](#), from [Episode 3](#)
- Quicktime video of a [real-life Cosby Off](#), a Cosby impersonation cage match
- [House of Cosbys exit theme song MP3s](#)
- [Listen Up Theo](#), a not-safe-for-work House of Cosbys music video
- [Cosby Core tattoo](#)
- [Cosby stencils and graffiti](#) (and more) on Flickr
- [Cosby Show Season 1](#) was just released on DVD
- [Little Rascals/Bill Cosby urban legend](#) on Snopes
- [The Bill Cosby Fun Game](#), Cosby goes on a murderous rampage
- [The Pac Man and Cosby Show](#), a comic apparently made by a blind man using MS Paint



Dear God, this has to stop now.

Comments

What a triumphant return to blogging!

posted by [newbornstranger](#) on August 25, 2005 04:47 AM

Index of /random/audio/Bill_Cosby_-_Talks_To_Kids_About_Drugs_(1971)

<u>Name</u>	<u>Last modified</u>	<u>Size</u>	<u>Description</u>
 Parent Directory	21-Feb-2006 23:18	-	
01 Introduction- Downers And Uppers.mp3	16-Aug-2005 04:29	3.1M	
02 Questions And Answers.mp3	16-Aug-2005 04:39	4.6M	
03 Dope Pusher.mp3	16-Aug-2005 04:33	2.4M	
04 Bill Talks About Hard Drugs.mp3	16-Aug-2005 04:33	1.1M	
05 I Found A Way Out.mp3	16-Aug-2005 04:38	2.7M	
06 Order In The Classroom.mp3	16-Aug-2005 04:44	3.5M	
07 People Make Mistakes.mp3	16-Aug-2005 04:44	2.8M	
08 I Know I Can Handle It.mp3	16-Aug-2005 04:48	2.8M	
09 Bill Talks About Pushers.mp3	16-Aug-2005 04:56	4.5M	
10 Capitan Junkie.mp3	16-Aug-2005 04:53	2.7M	
11 Bill And The Kids Sing & Closing.mp3	16-Aug-2005 04:55	2.4M	
 cover.jpg	25-Jan-2005 07:11	7k	

Apache/1.3.28 Server at waxy.org Port 80



WAXY.ORG

Home: Daily Log: House of Cosbys, Mirrored

PROJECTS

Daily Log
 Waxy Links **NEW!**
 Upcoming.org **NEW!**
 Dictionary Domains
 Lost Friends
 GettingIt
 MP3 Calculator
 Metafilter Stats

Billing is a pain.
 Make it hurt less.



2ndSite - Spend less time
 invoicing your clients.
 Have more time for fun.

ADS VIA THE DECK

CONTACT

E-mail: [log AT waxy.org](mailto:log@waxy.org)
 AIM: waxpancake

XML



Technorati Profile

NOVEMBER 12, 2005

So, I moved to Palo Alto and finally started at Yahoo last week. (Summary: Fascinating place to work, brilliant people, kooky corporate culture, boatloads of potential.) Things are finally starting to settle down, which means the dry spell on Waxy will be ending very soon.

In the meantime, I've been meaning to post this for the last couple weeks... The House of Cosbys, which I [wrote about recently](#), was finally taken offline by Bill Cosby's lawyers. In its place, the videos have been replaced with [this message](#). The original videos are now very difficult (if impossible) to find online.

I've decided to archive them on Waxy for as long as I possibly can. They deserve to be seen, so watch them, mirror them, torrent them, and don't let them disappear again.

[House of Cosbys #1 - High Quality Quicktime](#)

[House of Cosbys #2](#)

[House of Cosbys #3](#)

[House of Cosbys #4](#)

[House of Cosbys #5](#) (warning: offensive content; unofficial, fan-made response to cease-and-desist)

[Listen Up, Theo](#) (House of Cosbys music video, not safe for work)

[Curiosity Cosby Bloopers Reel](#)

If you have any other House of Cosbys-related videos, please e-mail me. Feel free to post links to mirrors in the comments.

November 13: CommonFlix is hosting [BitTorrent downloads](#) of each video. Also, thanks to Alex for the music video!

November 16: Thanks again to Alex, I think I have the complete collection online for posterity.

January 22, 2006: Temporarily redirecting to the Google Video mirrors to alleviate some bandwidth limitations.

Comments

Exploration Rudyyyyyyy!

posted by [leonard](#) on November 12, 2005 09:02 AM

Pretty sure this is legal satire and parody. Placing ipod Video versions of the five episodes at the CommonFlix iPod Download page

<http://www.commonflix.org/tag/video-ipod>

posted by [CommonFlix](#) on November 12, 2005 04:20 PM

#5's intro is great, but it's just bad after that.