

A very bling bling kiss

Court of Appeals, Nîmes, June 2, 2009

Latest rebound in the “kiss” affair : playing the role of the rejected lover, in this case dismissed, Rindy Sam is ordered to pay the amount of 18,840 € to the Yvon Lambert gallery, and 1000 € in costs under article 700 of the Code of Civil Procedure, or the penalty initially requested against her in the first trial court for having put her red lipsticked lips on the immaculate canvas of Cy Twombly during a temporary exposition of Gallery Lambert in Avignon in 2007.

The judges in the first trial court proceeding were unmoved by the young lady’s arguments that it was a spontaneous gesture of love motivated by the admiration that she felt for the artist and his work... The attempt to justify this one way act of love by its artistic nature should just as well fail. Holding this fleeting kiss only as a violation of respect for the work, the appellate judges considered, as the lower court had, that the incrimination of vandalism, such as covered by articles L 322-1 of the Penal Code, was required.

Therefore, artistic passion is not a valid defense and unshared love has got a price. We know now how much it costs.

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