



Russell Christoff posed for Nestle in 1986 but never was paid to be on its instant-coffee jars. A jury awarded him damages last week.
Associated Press/Jeff Chiu

Teacher wins instant millions

Taster's Choice loses \$15.6 million verdict to man on its label.

Bee Staff And Wire Reports
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ANTIOCH - For years, Russell Christoff's picture graced kitchen cupboards and staff lunchrooms.

His was the handsome face on Taster's Choice jars, peering assuredly into a steaming, freshly prepared cup of instant coffee.

Until relatively recently, however, the 58-year-old Antioch man didn't even know he was on the label.

Everything changed last week, when a Los Angeles Superior Court jury in Glendale ordered Nestle USA to pay the former actor and model \$15.6 million for using his photo without his permission and for profiting from it.

Now, Christoff, a kindergarten teacher, has been thrust from relative obscurity into the litigation-powered limelight.

Shortly before 2 p.m. Tuesday, Christoff stood in front of his home in an upper middle-class tract, cell phone plastered to his ear. Wearing a crisply pressed suit, he apologized for not being able to talk right then, jumped into a Mercedes sedan and sped off to a 4:15 press conference at his talent agent's office in San Francisco.

"Our image is our product, whether it is our face or our talent, and they took it improperly," he told reporters.

Before turning to teaching, Christoff appeared in corporate training videos and hosted his own public television show about California parks.

Back in 1986, he'd been paid \$250 for a two-hour Nestle photo shoot, but thought nothing came of it.

Then, in 2002, he found himself face-to-face with his own image on a Taster's Choice jar while shopping for Bloody Mary mix at a drugstore.

"I looked at it and said '(Expletive), that's me.' "

Shortly after, he sued Nestle.

At one point during the legal process, Nestle offered \$100,000 to settle the case. Christoff declined.

His team countered, asking for an \$8.5 million settlement. Nestle declined.

The jury's \$15.6 million award includes 5 percent of Nestle USA's profit from Taster's Choice sales between 1997 and 2003. During that period, the Glendale-based subsidiary of the Swiss food giant used Christoff's picture in countries including the United States, Mexico, South Korea, Japan, Israel and Kuwait. The company's Canadian division began using his likeness even earlier.

Nestle USA executives have declined to comment, but indicated they would appeal the verdict. An employee who pulled the photo for the label thought Nestle had permission to use it, Nestle's attorney said.

Christoff's newfound celebrity wasn't evident to his neighbors on Palisades Way or at Fremont Elementary School, where he

is in his second year of teaching.

With the case likely to be tied up for some time in appeals, Christoff said he doesn't plan to quit his day job.

"I'm still just as poor as I was before," he said.

On Tuesday, Antioch remained a relatively quiet Delta town, largely unaware of its newly famous resident.

"Is this true?" asked Marlona Coleman with disbelief, when told about Christoff's windfall.

Coleman's 6-year-old daughter, Ashonté, is in Christoff's kindergarten class.

She said Christoff hasn't been in class for the past few weeks. When she picked Ashonté up from class several days ago, she explained, another teacher was handing out name tags.

"He told me Mr. Christoff would no longer be their teacher," Coleman recalled. "I wondered why."

Coleman, 29, is studying to be a medical assistant. She praised Christoff's teaching style, calling him "great," "very thorough" and a "good reader" with the children.

Plus, she said, Ashonté likes him.

"I'm real surprised," she said. "I wish it could happen to me."

At the Save Mart Supermarket on East 18th Street, shoppers browsing the coffee aisle were surprised to hear that a local had just become an instant millionaire from instant coffee.

"I think that's a bit excessive," said Folgers drinker Carla Secor, 47, a computer technician. "At the same time, it wouldn't have taken them a lot of effort to contact him and say, 'Hey, we want to use your picture if that's OK.'"

Deana Smith agreed that the award was too high. "It's ridiculous," she said. "A face isn't going to entice me to buy the coffee."

Smith picked up two cartons of Nestle's Coffee-mate on Tuesday, but no coffee.

When it comes to instant, she said, she likes Folgers more than Taster's Choice. But she rarely buys it.

"I'm an avid coffee drinker," she said. "I prefer fresh-brewed."

This story was reported and written by The Bee's Emily Bazar. The Associated Press and Bee staff writer Steve Wiegand contributed to this report.

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Christoff had been in his second year of teaching kindergarten at Fremont Elementary School in Antioch. **Sacramento Bee/Brian Baer**