

Music Copyright Dispute Case

1. After listening to the songs, do you think there is a substantial similarity between these two songs in terms of the melody, rhythms, harmonies, drums, bass line, backing chorus, and tempo?

The songs have a similar chord progression, but that is about where the similarities end. Besides that, the tempo is slightly different, the melodies differ in the singing, and pretty much everything else also has discrepancies. The backbeat is different in both as well, as the drums have a much different tuning and rhythm. They have different harmonies and tempos. However, the bass lines are similar, as they have the same rhythmic elements. They do have different tones, as Ed Sheeran's song was played on an acoustic guitar. Marvin's drums have added reverb and use studio drums, whereas Ed Sheeran's drums have a high tone and have limited cymbal usage. It sounds like brushes are used on the snare instead of the sticks in Gaye's song. The vocals are different due to rhythm and tone, making the chorus not similar between the songs. In essence, the songs have some similarities but are mostly different.

2. Should there be a clearer legal distinction between influence and infringement in music? Explain.

When an artist creates music with meaningful creative value it should be considered influence rather than infringement. Therefore, there should be a clearer legal distinction between these two things for this exact reason. If lawsuits are being made about a song's "vibe" or "heart" how is it fair to question someone's meaning behind a song, even if influence for it is being taken from another song. Influence can be taken from any part of a song, but there is a line between taking influence from and copying.

3. This court case is one among many over the past decade that have placed limits on songwriting and musical composition. Do you think it is important to provide these legal protections for artists even if it means hindering artistic creativity and the new works that might come from musical influence? Explain your reasoning.

No, legal protections like this hurt art, as they are much stricter than they should be. Most suits are carried out by companies and labels that are more greedy for money than worried about the intellectual property of their artists. When artists take inspiration and create similar music, it should be fully allowed, as that is how influence works. Anything that you play on a piano or a guitar has been played before, as the instruments have been adopted by millions. For this reason, claiming copyright on a singular chord progression or melody is counterintuitive and hypocritical, as the music itself is probably already copied.

4. In your opinion, should certain musical progressions or chords be protected by copyright law, or remain part of the public domain? Explain.

Musical progression should be part of the public domain. If they were protected by copyright, it would make it difficult to create truly original songs. There are too many songs that have the same chord progressions which would make it difficult to track back and find who created the original. Similar chord progressions are very common across different songs. It is the additional aspect of the song that makes it unique and original, including different instruments and vocals.

