

Copyright Infringement

Wanjiru Waweru

Worcester State University

## **Part I: Summary**

### What is Copyright?

Copyright, a collection of requests that requires a person who develops the progression of authorship (books, music, movies, etc.). The copyright work and distributes the media as a person wants to publish the authorship. The role of copyright, in the media law, people should develop an art where the audience listens, watches and reads.

According to *Copyright Alliance*, “the primary objective of copyright is to induce and reward authors, through the provision of property rights, to create new works and to make those works available to the public to enjoy. The theory is that, by granting certain exclusive rights to creators, which allow them to protect their creative works against theft, they receive the benefit of economic rewards and the public receives the benefit of the creative works that might not otherwise be created or disseminated.”

### How does Copyright Law involve the Music Industry?

The copyright law distributes a song to request from albums, mainstream radios and live performances. Once, a songwriter and a producer, they need to learn how to publish a song. Music Publishers need to understand the experience of the copyright law before they want to publish their song. The music industry requires a participation of the copyright law to understand how to manage and publish their song in order to learn the preparation of the success in the music industry.

According to *Music Gateway*, “Music companies... , all use the rights granted to them in copyright law to generate income from their music. They all manage, exploit, administer and license their copyrights and this produces income. Music publishers are businesses that work

with songwriters, artists and composers, to manage their publishing rights in their copyrighted works. They also try to generate more income by licensing these rights to businesses to use commercially.”

## Part II: Evaluation

On January 16, 2020, singer-songwriter Josh Stone accused the singer, Ariana Grande for sampling his 2017's *You Need I Got It*. Ariana Grande became fed up with the legal battle with her global smash, *7 Rings*.

According to *Billboard*, writer Chris Eggertsen wrote about Stone suing Grande for plagiarizing and sampling *You Need I Got It* without Stone's permission, however, *7 Rings* spent eight consecutive weeks at No. 1 on the Billboard Hot 100 chart in early 2019. The issue started around that time. Stone's attorney, Tamir Young made a statement on the massive success of *7 Rings* on Spotify and Youtube. Stone accused the pop singer for copying his 2017's song *You Need I Got It* to sample Grande's 2019 smash hit, *7 Rings* which spent eight consecutive weeks at No. 1 on Billboard Hot 100 in early 2019. Stone reported to his lawyer, Tamir Young who explained about the commercial success of *7 Rings*

"The complaint, which was filed in the U.S. District Court in New York on Thursday (Jan. 16) by Stone's lawyer Tamir Young, opens with some impressive numbers related to *7 Rings*, noting that the single broke records for the most Spotify streams in 24 hours and that the video has been viewed over 642 million times on YouTube," said Eggertsen. "It further estimates the song has earned over \$10 million in revenues to date."

Young also explained about the musicologists of *7 Rings*. Young made the statement that Young knowledge on how *7 Rings* could be plagiarized *You Need I Got It*. Young created a perspective on each and individual chord progression of *7 Rings* as Young made it clear. Young constantly explains how *7 Rings* copied *You Need I Got It*.

“Young goes on to state that two different musicologists concluded *7 Rings* likely copied the choruses and hooks from *You Need I Got It*, with one finding 39 respective notes from the songs to be identical,” said Eggertsen. “From a scientific, musicological perspective, the rhythmic structure, metrical placement, duration of rhythmic pattern and lyrical elements of composition in *7 Rings*. ”

In order for Grande to win the Copyright law case, this situation needs to be confirmed to singer-songwriter and producer, Thomas Lee Brown, who defends and works with Grande through Grande’s music career who worked with Grande on her five studio albums and also appeared in Stone’s meeting at the Universal Music Group in the summer of 2017 about his song, *You Need I Got It*. Young explained how copyright infringement became harmful for upcoming artists.

Grande performed on *7 Rings* at the 2020 Grammy Awards. However, the 2020 Grammy Awards nominated Grande’s smash hit (*7 Rings*) for two consecutive awards as Grande’s 2019 album, *thank u, next*, nominated Grande for five consecutive awards. Grande’s defendants which became the following of the songwriters and producers who became responsible to help Grande with her commercial success of and responsible for 2019’s incredible album, *Thank U, Next*: Brown, Tayla Parx, Charles Anderson, Kimberly Krysiuk, Michael Foster, Victoria Monét and Njomza Vitia not to be eligible to respond to the incident of Copyright infringement.

American singer-songwriter, Tracy Chapman sued American-born Trinidadian rapper, Nicki Minaj for interpolating Chapman’s 1988 song, *Baby Can I Hold You* in Nicki Minaj’s unreleased

track, *Sorry*. However, Nicki Minaj took advantage of one of Tracy Chapman's songs without Tracy Chapman's permission.

According to *Pitchfork*, writers Braudie Blais-Billie and Matthew Strauss wrote a report about the copyright infringement between Tracy Chapman and Nicki Minaj. Nicki Minaj filed a lawsuit and made a response to the copyright infringement lawsuit in February 2019. The document approves that Tracy Chapman accused Nicki Minaj that Nicki Minaj did not commit the copyright infringement incident.

"Last year (2018), Tracy Chapman sued Nicki Minaj for copyright infringement, claiming that Nicki's unreleased track *Sorry*—which interpolates Chapman's 1988 track *Baby Can I Hold You*—used her music without permission," said Strauss and Billie. "In the documents, filed in a California federal court on February 22 and obtained by Pitchfork, Nicki denies committing copyright infringement. since been removed, though audio rips still exist."

### **Part III: Ethics**

Does the violation code involve the music industry?

The violation code involves the music industry. If an artist wants to be successful in the music industry, he or she needs to know how to sample music appropriately. Otherwise, they would pay a gigantic cost due the consequences of copyright infringement. In order to sample songs, they really need to think wisely to understand the law carefully and they need to ask the owner's permission if they want to develop or make a project.

According to *Lawyers for the Creative Arts*, "If an artist uses samples without the copyright owner's permission, a court can force the artist or the artist's record label to recall and destroy all of the records containing the samples and to pay damages to the copyright owner in an amount ranging from \$750 to \$150,000 for each act of infringement."

Could it be ethical for artists to sample original music?

Yes, it could be ethical for artists to sample original music. When a musician samples a song, they use Mill's Principle of Utility. Mill's Principle of Utility could be a good example of an artist to find a sense of happiness. They decided that they did not find sampling a song as harmful which sampling a song does not suit well for some listeners.

Professor Ronald F. White explained that "the principle of utility states that actions or behaviors are right in so far as they promote happiness or pleasure, wrong as they tend to produce unhappiness or pain. Hence, utility is a teleological principle. This once again raises some of the same basic issues associated with hedonism, as discussed in the earlier section on Teleological Theories. Recall that a hedonist believes that the good life consists solely in the pursuit and experience of pleasure or happiness."

A musician wants to sample a song to find a path to increase the amount of commercial success in their music careers. They found sampling as beneficial and helpful as a strategy to gain more attention to receive more radio airplay and social media in order for their song to become the next big hit as they want to take their career to another level and become well-known or famous. . However, if sampling could be a way to develop the artist's creativity, then they should go for it, they need to understand when music defines their elements of freedom, not everybody going to either agree, accept or enjoy their artistry.



### Conclusion

Many artists sample a lot of songs. This technique could be a new way to develop their songwriting strategies, whether, they hear a classic song from mainstream radios, movies, or even album, the song stuck on the artist's head and they want to determine to sample a song as they want to create their project, however, in order to be successful in the music industry, they need to understand the legal indication. As an singer-songwriter, if a singer wants to sample my songs, I would not care and avoid complaining the incident of the copyright infringement, as I publish my song, but for some people, they find sampling songs as disrespectful and unfaithful because they knowledge as a singer takes an advantage from the copyright owner to steal their money. A lot of singers have lawyers, the lawyers recognize that singers found sampling as an art. Singers avoid any apologies, regardless, whenever the copyright owner publishes their song, they should not take this situation personally, its publicity, the copyright owner needs to get used to it and accept the artist's creativity.

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