

Pharrell williams and robin thicke versus marvin gayes case

Law



Pharrell Williams and Robin Thicke Versus Marvin Gaye's Estate

Review

In 2013 Marvin Gaye's children Nona, Frankie and Marvin Gaye iii sued Robin Thicke and Pharrell Williams for their hit song ' blurred lines'. The song made an overwhelming \$16 million which was shared by Pharrell Williams, rapper T. I and singer Robin Thicke. The family had initially asked for a \$40 million but later reduced it to \$25 million that was for damages. However, rapper T. I was cleared form the infringement charges and only the two musicians were told to pay the suit with money from their pockets. The two were accused of copyright infringement by stealing the late Marvin Gaye's song got to give it up and the children were able to clearly show the similarities in the song lyrics.

Marvin's children said that the money they demanded was what they believed their father would have been given had he signed his song with the label. Robin and Williams argued that the family only had a right to the sheet music and not the sound. In fact earlier they had sued Marvin's estates in order to stop them from going ahead with their copyright infringement case. However, they both did not claim to have written this song together but independently. They held on to their innocence and said they were not through with the case yet. An additional \$8000 is also to be added to the amount given to Marvin Gaye's estate. This case has brought down Williams reputation as a song writer as he was ordered to pay \$1. 6 million while robin \$1. 7 million (Grow).

IRAC

IRAC is a legal method of analyzing a case. It stands for issue, rule,

application and conclusion.

Issue

Does the fact that Robin Thicke and Pharrell Williams write a song that is similar to Marvin Gaye making copyright infringement even though the sounds are different?

Rule

Copyright infringement occurs when anybody breaches the restricted rights of another person's material whether words, sound or pictures. This rule is seen as theft as the violator uses a copyrighted material without the owner's authorization (Campbell, Cotter & Center for International Legal Studies, 2).

Analysis

Element 1

Even though the two songs do not have the same sound, the words in the two songs are similar and this constitutes to a breach. The two musicians have violated Marvin Gaye's song even though they argue that the sheet music is what Gaye copyrighted.

Element 2

The fact that the two musicians may have 'borrowed' Marvin Gaye's other songs and mashed it without permission is infringement.

Element 3

The fact that the two musicians could not ascertain the source of the lyrics of the song means that they stole the lyrics.

Element 3

The musicians' statement in regards to the songs lyrics is fishy since Pharrell says he wrote the song under one hour while Thicke says they wrote the

song independently.

Conclusion

Robin Thicke and Pharrell Williams have indeed done a copyright infringement. This is because they have used Marvin Gaye's song but given it a different tune. Even though Gaye copyrighted only the sheet music the words belong to him and anybody who uses them without his permission has infringed. Furthermore, adding and deleting some words in Gaye's words and giving it a different sound does not make the song robin and Williams'' song. I therefore agree with the ruling in favor of the Gaye estate.

Work Cited

Campbell, D., Cotter, S., & Center for International Legal Studies. (1997).

Copyright

infringement. London: Kluwer Law International.

Grow, Kory. " Robin Thicke, Pharrell Lose Multi-Million Dollar 'Blurred Lines' Lawsuit."

Rolling Stone. 10 Mar. 2015. Web. 8 Apr. 2015.