

# 'Blurred Lines' singer Robin Thicke accused of plagiarism as Marvin Gaye's family launches lawsuit

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Robin Thicke's "Blurred Lines" was the biggest song of the summer. Now, however, the hit single is the subject of a legal battle about the indistinct boundaries between influence and artistic theft.

The family of Marvin Gaye claims in a lawsuit that Thicke's chart-topper plagiarised the late soul superstar's 1977 track, "Got to Give it Up". Gaye's children Nona and Frankie said Thicke has a "fixation" on their father's work, but that music publisher EMI failed to take action due to a conflict of interest in its relationships with both artists.

Released in March, "Blurred Lines" spent 12 consecutive weeks at the top of the Billboard Hot 100 chart and was bought more than six million times. In August, Thicke filed a pre-emptive lawsuit to head off allegations that the song borrowed illegally from Gaye. This week, the Gaye family filed a counterclaim, claiming not only that "Blurred Lines" was plagiarised, but that Thicke also stole from another of Gaye's songs, "After the Dance", for his 2011 single "Love After War".

In an interview with GQ magazine, shortly after the release of "Blurred Lines", Thicke explained the song's provenance, saying: "[Producer] Pharrell [Williams] and I were in the studio and I told him that one of my favourite songs of all time was Marvin Gaye's 'Got to Give It Up'. I was like, 'Damn, we should make something like that, something with that groove'. Then he started playing a little something and we literally wrote the song in about a half hour and recorded it."

Yet in a subsequent interview with the website TMZ – after he had filed his pre-emptive lawsuit – the singer apparently denied thinking of Gaye's work while writing the song. In their countersuit, Gaye's children cite several leading music critics who noted the similarities between Thicke's hit and Gaye's, as well as a report by musicologist Judith Finell which reportedly points to multiple parallels in the two tracks. The family describes Thicke's work as "blatant copying of a constellation of distinctive and significant compositional elements of Marvin Gaye's classic No 1 song".

The suit also targets song publisher EMI, which is owned by Sony/ATV. Though the Gaye family holds the rights to the two Marvin Gaye hits in question, EMI presently controls the administration and protection of their copyrights. The firm is also a co-publisher of the producer Williams' work, and thus also enjoys co-ownership of "Blurred Lines". The Gaye family claims EMI's chairman accused them of "killing the goose that laid the golden egg" by making their suspicions about the song known and thus jeopardising its chances to win a Grammy award. The claims have yet to be tested.

In August it was reported that Thicke had offered the Gayes a six-figure settlement to prevent a legal battle, but that they had refused the offer. That story was false, the Gayes claim. They want EMI deprived of any profits from "Blurred Lines" – and denied control of their father's catalogue.

Thicke's lawyer told The Hollywood Reporter that the family's claims were baseless. "EMI consulted their own expert musicologists who gave the same opinion our three musicologists gave: the genres of the songs are the same, the notes are different," King said. "So whether or not plaintiffs are fans of Marvin Gaye is irrelevant; no infringement occurred here."

### **Battle lines: The critic's view**

#### **Robin Thicke 'Love After War' / Marvin Gaye 'After the Dance'**

The andante tempo is the same, and the soul-sounding instrumentation similar. The falsetto vocal of Thicke's chorus shares a striking similarity with Gaye's, but the chord progressions sound different.

#### **Robin Thicke 'Blurred Lines' / Marvin Gaye 'Got to Give it up'**

The high-pitched whoops, the bass groove and the high-end cowbells give the songs an undeniably similar vibe. But they differ melodically.

#### **Robin Thicke 'Make U Love Me' / Marvin Gaye 'I Want You'**

Thicke's song has been accused of using identical lyrics ("And I want you/ And how I want you to want me" versus Gaye's "Want you to want me, baby, just like I want you"). They are mining the same theme and that's where the similarities end.

Elisa Bray

Listen to the rival songs below: