

# Expert: 'Blurred Lines' hook, bass line similar to Marvin Gaye hit

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**N**early four decades may separate Marvin Gaye's "Got to Give It Up" and Robin Thicke's "Blurred Lines," but many of its musical elements hew too close for comfort, a musicologist testified Thursday in a federal copyright infringement trial.

Judith Finell was called to the stand by the children of Marvin Gaye, who are suing Thicke, singer and producer Pharrell Williams and rapper T.I., alleging that their 2013 summer hit "Blurred Lines" infringes on Gaye's 1977 song.

Finell dissected the songs, demonstrating to jurors what she said were eight similarities between the two works.

"It's the same notes, the same rhythm, it's just ... the same," she said, comparing a line from the two songs.

Finell said the hook, bass line and a melodic theme repeated throughout the songs were very similar. So were parts of the lyrics, she told jurors, including lines that the family's attorney, Richard Busch, deemed too vulgar to read out loud in court. Both songs break into a spoken interlude — T.I.'s rap for "Blurred Lines" and the parlando in "Gotta Give It Up," which she said is a precursor to rap — at the same point in the song, Finell said.

The New York-based expert turned to a keyboard at various points during her testimony, playing "Jingle Bells," "Happy Birthday" and Beethoven's Fifth Symphony to explain musical concepts to jurors. In her years as a music expert consulting on copyright cases and reviewing compositions for potential infringement, the similarities between the two songs were "highly unusual," she testified.

Attorneys for Thicke and the other musicians are expected to call their own expert witness to the stand next week to dispute Finell's analysis. They contend the similarities are coincidental and there is much that musically distinguishes the two songs.

Earlier Thursday, an executive for Universal Music Enterprises, which manages Marvin Gaye's catalogue, testified about emails he had written after "Blurred Lines" became a hit.

Harry Weinger said he wrote an email about taking advantage of the raunchy “Blurred Lines” video’s popularity to advertise the Gaye song on YouTube. Attorneys showed jurors the email, in which Weinger wrote that the Thicke song was “utterly based on” Gaye’s song.

“They just seemed really alike,” he said.

Thicke himself took the stand Wednesday and said the songs were not similar, saying the rhythmic structures were different.

He testified that he had lied in media interviews when he recounted writing the song after telling Williams they should write something like "Got to Give It Up," a story he said he concocted to exaggerate his role in the song's creation.

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