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Marvin Gaye's Family Alleges Two Stolen Songs In "Blurred Lines" Countersuit

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The ongoing legal battle between Marvin Gaye's family and Robin Thicke over "Blurred Lines" continues this week as the Gaye family has just filed a countersuit against Thicke. Thicke originally filed a preemptive suit claiming that "Blurred Lines" wasn't a theft of Marvin Gaye's "Got To Give It Up." The family's countersuit, however, alleges that not only was "Blurred Lines" a rip off, but that "Love After War" was actually lifted from Gaye's "After the Dance" as well.

From [The Hollywood Reporter](#):

The Gaye family quotes music critics at The New York Times, Vice, Rolling Stone and Bloomberg Businessweek who have remarked about the Marvin Gaye resemblance in "Blurred Lines." The countersuit also presents an expert report by musicologist Judith Finell detailing "at least eight substantially similar compositional features" with Gaye's original. The similarities are said to encompass the signature phrase, vocal hook, backup vocal hook, their variations, and the keyboard and bass lines — "far surpassing the similarities that might result from attempts to evoke an 'era' of music or a shared genre," according to the court papers.

While the countersuit makes the case that the public has detected Gaye in Thicke's other songs — "including the similar bridge and identical lyrics from Marvin Gaye's 'I Want You' in Thicke's similarly-themed work, 'Make U Love Me' " — it brings a second copyright infringement claim only over Thicke's "Love After War." That song is said to share a similar chorus, hook melody and more with Gaye's "After the Dance." (Listen below.)

The suit also targets EMI, the publisher in charge of the Marvin Gaye's catalog, citing a conflict of interest, as EMI is also co-publisher of "Blurred Lines." The suit claims that the family has been intimidated and harassed in regards to filing and alleges that the chairman of EMI complained that Gaye's estate was "ruining an incredible song" and "killing the goose that laid the golden egg."

Thicke's attorney Howard King had this to say:

"Plaintiffs anticipated a baseless counterclaim for copyright infringement when they filed their original complaint for declaratory relief, so no surprise there. What is surprising in their press-release-disguised-as-a-complaint (much of which will eventually be stricken by the court) is their acknowledgment that the Gaye family has no standing to bring a copyright claim. For this, they blame EMI, the administrator and registered copyright owner of the Marvin Gaye songs. Obviously, EMI, which is in the business of collecting substantial sums for actual infringements, regardless of the publishing affiliations of the infringers, consulted their own expert musicologists who gave the same opinion our 3 musicologists gave: The genres of the songs are the same, the notes are different. So whether or not plaintiffs are fans of Marvin Gaye is irrelevant; no infringement occurred here."

You can read more about the case at [The Hollywood Reporter](#).

Listen to Gaye's "After The Dance" and Thicke's "Love After War" below. Read more about the initial suit and listen to "Blurred Lines" and "Got To Give It Up" [right here at Zumic](#).