

Song Writers Intently/Knowingly Producing Music with the Same Lyric/Melody

There have been many instances in the music and film production industry where artists write lyrics or produce melodies that are similar to previously written songs by different artists, not because they are not aware but due to some level of ignorance. The process of producing a song commences with the writing of the lyrical part of the song before its presentation to the studio. The music industry is impacted by the music law. Across the entire world, and especially in the United States, music is one of the products that are sold, for, after all, the artists and other involved aspects are in business. Music law is linked to any kind of law that affects the is linked to the music industry, touching varied parts like creation, sale, performance, and listening to various content in the industry. Authorship works are protected under the legal instrument known as copyright. Many artists have gone ahead to replicate the music content of other writers, which is against the copyright requirements. There are many cases presented to courts with issues related to the breach of contracts and requirements linked to music. The paper will discuss varied cases linked to the intentional recording of the same music and the opinions offered by the involved court of law.

Timely legal rules are created through the interpretations issued by judicial bodies, which are, in later days, applied as precedents. The failure of the entire bench of judges to agree to a single ruling gives rise to multiple opinions. There are issues of concurring and dissenting opinions linked to the judge's agreement with the majority and the proper following of the procedures.

In *Pendleton v. Acuff-Rose Publications, Inc.*, 605 F. Supp. 477 (M.D. Tenn. 1984), presented in the District Court of the United States, the matter presented was in relation to copyright infringement. In the first round, the complaint was voluntarily dismissed on account of the plaintiff due to insufficiency in personal jurisdiction. The court granted summary judgment and ordered the dismissal of the case due to varied reasons. The opinion by the court was based on the words' involvement in the song. The comments by Charles Cronin entailed the fact that the case was part of varied colluding motions that were linked to the content in pop music, specifically 'country'. The grounding on the kinds of cases is based in an exclusive manner with the consideration of the alleged entailment of similar verbal content in the songs. There were infringement claims of the content from "The Jukebox" by Damon Black, in the lyrics of "Set 'em Up Joe" by Vern Gosdin, six years after its production (*Pendleton v. Acuff-Rose*, 1984). Nine years after, there was a twin claim by Everett Ellis on the infringement of his "Lay Me Out" by "Prop Me Up" by Joe Diffie and "When I Die" by Jukebox. All three claims were unsuccessful.

There was a consideration of a shared perspective in the three cases, where the 'country' was a common music genre, in which the vocabularies in the genre have a similar base in relation to tropes and topics in the conflicting digits. There was an issue of the probability of less protection directed to the expressions in the genre due to the wide prevalence of the tropes and topics in the 'country' genre.