

Question 4

In this question an intellectual property case study will be read to you.

Follow the text below. There will be no music played.

'Always, Forever' by Tom Gordon (1989) vs. 'Everything I Want' by Jamie Brogan (2004)

The Case: A British singer, Jamie Brogan, had a successful chart topping single, 'Everything I Want.' The chorus of the song was found to be almost identical to the chorus of the 1989 song, 'Always, Forever' by Tom Gordon.

The writer of 'Everything I Want' claimed not to be familiar with 'Always, Forever'. When it was brought to their attention they acknowledged the similarities between the two songs.

The Outcome: The writers of 'Everything I Want' stated that the likeness between the two tracks was totally coincidental and not deliberate. They also acknowledged the similarities to the chorus melodies.

They have now credited Tom Gordon as a co-writer on the song and he will receive royalties. The case was settled out of court to the satisfaction of both parties.

You now have five minutes to answer the questions below.

A warning tone will sound 30 seconds before the next question starts.

(a) Explain in simple terms why Tom Gordon had a case against Jamie Brogan. 1

(b) Why is intellectual property protection important? 1