

Question 5.4

This question is about intellectual property issues. You will hear **two** different excerpts.

The first excerpt is 'Gold On The Ceiling' recorded by The Black Keys, released in 1992.

The second excerpt is an advert for Pizza Hut, released in 1992.

Grammy-Award winning members of the Black Keys sued Pizza Hut for sampling a song off their album, *El Camino*. The Black Keys, along with their producer, claim that in May 2012, Pizza Hut began airing television adverts featuring their song "Gold on the Ceiling". The Black Keys claim beneficial ownership of the song, and contend that they never authorised Pizza Hut to use the song in their ads.

The complaint was made in June 2012 with the band saying the adverts had made use of slightly amended 'soundalike' versions of the songs in a "brazen and improper effort to capitalize on their hard-earned success". Pizza Hut strenuously denied the claims, requesting that the band pay their legal fees if they won the case.

Lawyers for the band told a federal judge that the claim had been settled out of court in November 2012.

You now have **one minute** to read through the questions.

You will hear the excerpts **twice** with a pause of **15 seconds** between playings.

Complete your answers:

- Referring to **one melody/harmony** concept and **one texture/structure/form** concept, identify **two** features of the music which are similar in each excerpt.

melody/harmony

texture/structure/form

- Give **one** example of how Pizza Hut could have avoided a breach of intellectual property rights in using / creating a piece of music for their advertising.