INTELLECTUAL PROPERTY

South African musician Daniel Baron vs David Guetta

30 April 2019 *2 min read*

A South African artist, Daniel Baron has accused David Guetta of copying his 2016 song, "Children of the Sun". As far as can be seen from media reports a letter of demand has been sent to the various parties representing Guetta and it is unknown as to what the response has been or whether any response has been received by Baron.

In his letter of demand, Baron has also requested to be credited as a co-writer. You can listen to the two portions of the songs which was included in a Jacaranda FM interview with Baron at the following link.

In terms of South African copyright law, the melody of a song will be protected as a musical work which is defined as "*a work consisting of music, exclusive of any words or action intended to be sung, spoken or performed with the music*" which is the work which will be relevant in this matter.

In 2018 the US Appeals Court had ruled that Robin Thicke and Pharrell's "Blurred Lines" had ripped off Marvin Gaye's 1977 classic "Got to Give It Up" and ordered that the royalties be split between the parties. That case also concerned the rights in the musical work as opposed to the lyrics.

It will be interesting to see as to how the matter progresses and we will update our newsletter if there are any developments.

If you would like to learn more about Intellectual Property please visit our practice area page.



Janine Hollesen

Head of Intellectual Property

View Profile