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Two of **Marvin Gaye's** children are suing **Robin Thicke** claiming his hit *"Blurred Lines"* is a rip-off of their father's song, *"Got to Give It Up."*

EMI April, the song's publisher has also been named in the lawsuit. reports Billboard.

> According to the counterclaims, EMI has breached a contract and its fiduciary duty by failing to protect Gaye's songs, attempting to intimidate the family against filing any legal action, failing to remain neutral when faced with a conflict of interest and attempting to turn public opinion against the family. The penalty for those acts, says the Gaye family, should be that EMI loses all profits on "Blurred Lines" as well as rights to administer the song catalog of Gaye, known as the "Prince of Soul."

This legal war started in August when the song's producer, **Pharrell Williams**, and Thicke filed preemptive lawsuits against Gaye's family and **Bridgeport Music**.

Bridgeport had accused Thicke of illegally sampling **Funkadelic's** song "*Funky Ways"* off of their 1974 album, *Standing on the Verge of Getting It On*.

Gaye's family said Thicke and Pharrell had copied the "feel" and "sound" of "*Got to Give It Up,"* which can be found on Marvin's 1977 album, *Live at the London Palladium.*

Nona Gaye and **Frankie Christian Gaye** filed their countersuit today. They point to interviews with GQ and Billboard where Thicke admitted that he told Pharrell he wanted to make a song

similar to "*Got to Give It Up."*

"Pharrell and I were in the studio and I told him that one of my favorite songs of all time was Marvin Gaye's "Got to Give It Up." I was like, 'Damn, we should make something like that, something with that groove.' Then he started playing a little something and we literally wrote the song in about a half hour and recorded it. The whole thing was done in a couple hours—normally, those are the best ones. Him and I would go back and forth where I'd sing a line and he'd be like, 'Hey, hey, hey!' We started acting like we were two old men on a porch hollering at girls like, 'Hey, where you going, girl? Come over here!' That's why, in the video, we're doing all these old men dances. It was great," Thicke told GQ

In a later interview with TMZ, Robin completely changed his tune and said Gaye's song wasn't the inspiration for *"Blurred Lines."*

Nona and Frankie presented an expert report by musicologist, **Judith Finell**, who identified "at least eight substantially similar compositional features" with Gaye's song.

The Gaye family also contends that Robin's song *"Love After War"* is a copy of the Marvin's hit, *"After the Dance."*

EMI is the co-publisher of Pharrell and co-owns "*Blurred Lines."* They also are administrators for Gaye's "Got to Give It Up" and "After the Dance." Marvin's family says they trusted EMI to protect those copyrights. They feel that EMI didn't do that due to a conflict of interest.

"Not only did EMI fail to bring this action, which is necessary to carry out EMI's duties to protect the Gaye Family's copyrights," says the countersuit, "EMI attempted to dissuade the Gaye Family from pursuing this action by repeated threats and tactics to intimidate the Gaye Family and its representatives."

Listen to "Blurred Lines" and "Got to Give It Up" below and let us know if you think Pharrell and Thicke ripped ripped Gaye off.

Marvin Gaye "Got to Give It Up"