BOTTOM LINE:

"Woo Hah…" by Busta Rhymes ("BUSTA") does not infringe the copyright of "8th Wonder" by The Sugarhill Gang ("SUGARHILL"). There is one (1) two-second phrase in SUGARHILL that has been referenced by BUSTA. The referenced phrase begins with the unoriginal exclamation, "Woo hah," and ends with the three (3) unoriginal words, "all in check." Connecting "woo ha," with "all in check" are the two unoriginal words, "got YOU," in BUSTA or "got THEM," in SUGARHILL.

Both the plaintiff's expert witness and I agree that the phrase, "woo hah," does not owe its origin to The Sugarhill Gang, as it has been heard in kung fu movies and cowboy movies even earlier. We further agree that the two recordings bear little resemblance.

In the words of the plaintiff's expert witness, "Musicological similarities are limited to the lyric phrase only in the two songs." I agree. However this lyric phrase is not identical between the two songs, has not been copied and is not original or worthy of copyright protection.

ANALYSIS

1. I have been asked to prepare a comparative musicological analysis between two songs with regard to whether there is any infringement of copyright, and to offer my professional opinion as to the extent, if any, of their similarity. The two songs at issue are:

"Woo Hah Got You All In Check" a song recorded by Busta Rhymes ("BUSTA");

and

"8th Wonder" a song recorded by The Sugarhill Gang ("SUGARHILL")

2. To perform the work necessary to answer the question of copyright infringement in this case:

a. I listened to and analyzed SUGARHILL and BUSTA. (I already owned both of these recordings.)

b. I conducted a prior and contemporary musical sources search on a computer database containing the chord progressions and other musical aspects of more than 15,000 songs. I did this to determine the significance of any musical elements common to both songs, and to

place these two songs within the context of popular music. The songs contained in this database are from several styles including popular music, rock, country, rhythm & blues, blues, urban/soul, hip hop, jazz, classical, contemporary classical and world music styles. This database was compiled by me over the course of more than 30 years and not in preparation for conducting a prior and contemporary musical sources search for my opinion in this lawsuit. I have personally transcribed and analyzed all of the songs contained in this database.

3. My methodology for comparative musicological analysis is to examine the style, subject matter, tempo, tonality, form, harmony, harmonic rhythm, melody, lyrics and rhyme scheme of each song in question and compare and evaluate the songs with careful consideration of prior and contemporary musical sources. (I define "prior musical source" as music that has been composed prior to BUSTA and SUGARHILL. I define "contemporary musical source" as music that has been composed at the same time or after BUSTA and SUGARHILL. Prior and contemporary musical sources are used to assist in determining the originality and copyright protectability of the musical, lyrical and structural elements in this matter.)

4. In my opinion, SUGARHILL is not substantially similar to BUSTA. As indicated above, this conclusion is based upon my careful analysis of the music and lyrics of SUGARHILL and BUSTA, and my search for prior and contemporary musical sources.

1. Style

1. BUSTA and SUGARHILL are both hip hop recordings.

2. Subject Matter

1. BUSTA and SUGARHILL are unrelated with respect to subject matter.

2. SUGARHILL is almost entirely devoted to the ideas of having a good time, dancing and getting together with a partner.

3. BUSTA, on the other hand, has numerous outside cultural references including numerous action films and television shows as well as an action figure:

The film, "Top Gun" with its lead actor, "Tom Cruise"
The film, "Rocky" with its character, "Apollo Creed"
The film, "Star Wars" and its character, "Han Solo"
The "Hawaii 5-0" television series
The action toy, "G. I. Joe" (http://www.hasbro.com/gijoe/en_US/)

4. BUSTA also was written for the benefit (and occasional warning) of other rappers.

5. The lyric below is a warning to other rappers who aren't as original and fresh as Busta Rhymes. Other rappers' lyrics (their "flow") are "used," (meaning, old and unoriginal). The others have to work hard - "pay their dues" - before they can reach a higher level of respect.

> *"Sorry, homeboy but your **flow** sounds used*
> *Got to pay your dues, baby, you know the rules!"*

6. Similarly, Busta Rhymes returns to his warnings to other rappers not to steal his "flow" with the following lyric:

> *"Yo, which mother fucker stole my **flow***
> *Eenie, meenie, miney, mo*
> *Throw that type of nigga right out my window*
> *Blast your ass hit you with my direct blow"*

3. Tempo

1. The tempos of both songs are significantly different.

2. In BUSTA, there are approximately 93 beats per minute.

3. In SUGARHILL, there are approximately 107 beats per minute.

4. The comparison of BUSTA and SUGARHILL with respect to tempo is irrelevant.

4. Tonality

1. SUGARHILL and BUSTA are extremely dissimilar with respect to harmony.

2. SUGARHILL alternates between the tonal centers of D# minor, F# Major and multiple sections of no tonality, i.e. hand clapping and speaking occur while all of the instruments stop playing. (This is detailed in the "5. FORM" section below.)

3. SUGARHILL is D# minor for approximately 183 seconds in total.

4. SUGARHILL is in F# for approximately 194 seconds in total.

5. SUGARHILL is devoid of harmony for approximately 47 seconds in total.

6. BUSTA is centered in C Major (or to be more precise, a slightly raised “C” that falls in-between C and Db) for the entire song.

5. Form

1. BUSTA and SUGARHILL are extremely different with respect to form.

2. BUSTA has a discernible form consisting of verses, choruses, intro, outro and bridge.
   SUGARHILL does not have a discernible form.

3. In BUSTA, there are three (3) verses.
   In SUGARHILL, there are no verses.

4. IN BUSTA, the chorus is heard four (4) times.
   In SUGARHILL, there is no chorus.

5. In BUSTA, there is an intro that is heard two (2) times.
   In SUGARHILL, there is no intro.

6. In BUSTA, the overall formal scheme is intro, chorus, verse 1, chorus, verse 2, chorus, bridge and intro stated simultaneously, verse 3, chorus, and outro.

7. The form of BUSTA is shown below:

   Intro
   Chorus (1)
   Verse 1
   Chorus (2)
   Verse 2
   Chorus (3)
   Bridge & Intro simultaneously
   Verse 3
   Chorus (4)
   Outro

8. With specific timings added, the form of BUSTA is shown below:

0.00-0.20	Intro
0.20-0.40	Chorus
0.41-1.24	Verse 1
1.24-1.43	Chorus

1.44-2.25	Verse 2
2.26-2.46	Chorus
2.47-3.07	Bridge & Intro simultaneously
3.08-3.49	Verse 3
3.50-4.10	Chorus
4.11-4.31	Outro

9. The music of SUGARHILL can be divided into three (3) distinct sections that are heard in an asymmetrical manner. But these sections do not constitute a discernible form, unlike the identifiable verse-chorus structure heard throughout BUSTA.

SUGARHILL sections:

10. Section A consists of the horns playing the musical hook. Harmonically, this consists of an D# minor chord, followed by a C# Major chord, returning to an D# minor chord.

11. Section B consists of handclaps and the omission of musical instruments.

12. Section C consists of electric keyboard chords played somewhat softly over an "F#" bass pitch. This F# bass pitch serves like a pedal or anchor to the harmony above.

13. There is no discernible connection between the lyrics of SUGARHILL and the music of SUGARHILL by means of the statements of Sections A, B and C.

14. The form of SUGARHILL, with respect to the alternating A, B and C sections, is shown below:

A B A B A	C
A B A	C
*A/B	C
A B A	C
*A/B	C
A B A	C
A fade out	

* ("A/B" above indicates that the section begins with the horn hook but changes as the horns drop out, only to return afterwards. In other words, A/B indicates that A & B have both been shortened and alternate to form "A/B.")

15. With specific timings added, the form of SUGARHILL is shown below:

A	0.00-0.11
B	0.11-0.26

A	0.27-0.47
B	0.47-0.56
A	0.56-1.05
C	1.06-1.38
A	1.39-1.59
B	2.00-2.08
A	2.09-2.17
C	2.18-2.50
A/B	2.51-3.09
C	3.10-3.44
A	3.45-4.05
B	4.06-4.14
A	4.15-4.23
C	4.24-4.56
A/B	4.57-5.17
C	5.18-5.51
A	5.52-6.30
B	6.31-6.38
A	6.39-6.47
C	6.48-7.20
A	7.21-7.24 fade out

16. The three (3) sections of SUGARHILL can also be shown in this columnar manner:

A	0.00-0.11				
		B	0.11-0.26		
A	0.27-0.47				
		B	0.47-0.56		
A	0.56-1.05				
				C	1.06-1.38
A	1.39-1.59				
		B	2.00-2.08		
A	2.09-2.17				
				C	2.18-2.50
A&B	*2.51-3.09*				
				C	3.10-3.44
A	3.45-4.05				
		B	4.06-4.14		
A	4.15-4.23				
				C	4.24-4.56
A&B	*4.57-5.17*				
				C	5.18-5.51

A 5.52-6.30

B 6.31-6.38

A 6.39-6.47

C 6.48-7.20

A 7.21-7.24 fade out

17. With respect to form in SUGARHILL, another means to comprehend and display the form of SUGARHILL can be shown via the use of repeated lyrics.

18. Repetition of lyrics in SUGARHILL can give rise to a loose and not-universally identifiable form.

19. There are three (3) lyrics in SUGARHILL that repeat.

20. One (1) of these is not original to SUGARHILL but instead is a reference to another work of authorship.

21. I will refer to the first lyric (that is repeated) as "X," the second lyric (that is repeated) as "Y," and the third lyric (that is repeated) as "Z."

22. The unoriginal lyric that is repeated (X):

Lyric X

"I am, I am, Somebody, Somebody"

23. This lyric is not original to SUGARHILL. It is a reference to the poem, "I Am - Somebody" written by Rev. William H. Borders, of the Wheat Street Baptist Church in Atlanta, Georgia.

Lyric X is heard twice:

0.59-1.04
5.09-5.14

24. The first of the two (2) original lyrics that repeat is Y:

Lyric Y is heard first at 1.46-2.16:

"Go dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
See it's up my back, it's around my neck
woo hah got them all in check
See it's up my back, it's around my neck

woo hah got them all in check

Ah let's scream, and let's shout
And let's turn this function out
and keep keep it on, but you don't rush
Ah let's make this party the real Cold Crush
Let's scream, and let's shout
Ah let's turn this function out
and keep keep it on, but you don't quit
Let's make the party the sure"

25. When Lyric Y is heard for the second time, its first two lines are slightly modified and repeated, and then the remainder of the lyric is stated with slight modification:

Lyric Y (modified) occurs at 3.47-4.22:

"We go dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
See it's up my back, it's around my neck
Woo hah got them all in check
It's up my back, it's around my neck
Woo hah got them all in check

Ah let's scream, and let's shout
And let's turn this function out
and keep keep it on, but you don't rush
Ah let's make this party the real Cold Crush
Let's scream, and let's shout
Ah let's turn this function out
and keep keep it on, but you don't quit
Let's make the party the sure"

26. The second of the two (2) original lyrics that repeat is Lyric Z:

Lyric Z is heard first at 2.32-2.57 and then at 4.41-5.03:

"So get up
Throwdown
We're funkward bound

Hey the Sugarhill Gang is in your town
Now baby doll
And all you daddy-o's
You better get ready to move your toes
So get up
Throwdown
We're funkward bound
Hey the Sugarhill Gang is in your town
Now baby doll
And all you daddy-o's
Scream it out and say yo, hit it!

Shake it, but don't break it
Cause I know we can make make it"

(Unlike Lyric Y, Lyric Z is not modified when it is repeated.)

27. Repetition of lyrics in BUSTA, unlike SUGARHILL, gives rise to a clear and simple pattern that is nearly universally understood - the chorus.

28. BUSTA has a chorus which is heard four (4) times, each time with no variation:

0.20-0.40	Chorus
1.24-1.43	Chorus
2.26-2.46	Chorus
3.50-4.10	Chorus

6. Harmony

1. With respect to harmony (aka "chords"), there are no important points of similarity between SUGARHILL and BUSTA.

2. SUGARHILLfeatures a three-chord progression - D# minor to C# Major to D# minor frequently.

3. BUSTA has no analogous chord progressions.

4. SUGARHILL features extended sections that are centered on the pitch, "F#."

5. BUSTA has no analogous tonal regions centered on a specific pitch.

6. BUSTA features the C7 to F# Major to G7 chord progression stated fifty-two (52) times throughout the entire song.

7. SUGARHILL has no analogous chord progression at any point within SUGARHILL.

7. Harmonic Rhythm

1. The harmonic rhythm of SUGARHILL and BUSTA are extremely dissimilar.

2. BUSTA features a two-measure pattern of three (3) chords:

C Dominant 7 (C7) chord for four (4) beats
F# Major chord (F#) for three (3) beats
G Dominant 7th chord (G7) for one (1) beat

3. This pattern is stated once and then repeated for the entire song.

5. There are fifty-two (52) statements of these three (3) chords (C7, F#, G7) in BUSTA.

6. SUGARHILL features harmonic regions that are significantly different, as well as many "B" sections (see #5 Form, above) that feature no chords or melodies.

8. Melody

1. Melody is immaterial and not pertinent to this case.

9. Lyrics

1. The complete lyrics to SUGARHILL are printed below:

SUGARHILL - Lyrics

"Clap your hands everybody
And everybody just clap your hands
Ah fly girls, clap your hands

Ah fly guys, clap your hands

Well if you're feeling alright and you think you're on
Somebody let me know
Well everybody in the place, put a whistle in your face
Scream it out and say YO hit it!

You don't stop
A-rock the rhythm that makes your finger pop
I said ah, hip-hop, ah thanks a lot
Ah c'mon everybody gimme whatcha got

I'm gonna tell you a little story about the Sugarhill Gang
With the pow pow boogie and a big bang bang
And if you wanna rap to the Sugarhill beat
Gotta rap in the key of R-A-P

Now that is over I'm ready to jam
Want all you people, to clap your hands
Tonight we're gon-na, scream and shout
We're gonna turn this motha -- sucka out
To all of you people that are ready to jam
Scream it out and say, ***I am! (I AM!)***
Some-body! (SOME-BODY!) *Now you know you're hot*

You see I met this girl and I said to her, "Honey
if you wanna be my baby you got ta gimme money!"
Turned around, didn't mean no harm
I knocked her out, with my vicious charm
I said, "No no baby it's not like that
Ya see I'm all about makin that cold cold cash"
Started jivin around, started messin wit her head
And next thing I know, she wanted to go to
But to turn me on, you got to be the best
Cause I'm the Master G, I don't take no mess
Like T-N-T, I'm dynamite
Ya see I rock your body to the early light
And when you wake up in the morning you'll see I'm gone
And check it out girl, you're all alone
Cause you just been hit by the Capricorn King

I rocked you gentle, I rocked you/me
I rocked you in and I rocked you out

You made me scream but I made you shout

Go dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy

See it's up my back, it's around my neck
Woo hah got them all in check
See it's up my back, it's around my neck
Woo hah got them all in check

Ah let's scream, and let's shout
And let's turn this function out
and keep keep it on, but you don't rush
Ah let's make this party the real Cold Crush
Let's scream, and let's shout
Ah let's turn this function out
and keep keep it on, but you don't quit
Let's make the party the sure

Once upon a time not long ago
everybody had on their radio
And then the fella came on with a groovy noise
to put the wiggle in the women and girls and boys
The word got around about three cool cats
who put the foot, back, in the pack
And let me tell you party people just who we be
With the help of Big Bank and the Master G

So get up
Throwdown
We're funkward bound
Hey the Sugarhill Gang is in your town
Now baby doll
And all you daddy-o's
You better get ready to move your toes
So get up
Throwdown
We're funkward bound
Hey the Sugarhill Gang is in your town
Now baby doll
And all you daddy-o's
Scream it out and say yo, hit it!

Shake it, but don't break it
Cause I know we can make make it

And if you're ready to party and you're dressed to kill
Somebody say, Sugarhill! (SUGARHILL!)
Sugarhill! (SUGARHILL!)

Ahh ahh, and let your worries take a chill pill
You go ahh, ahh, ah ahh ooh ooh

Chicka-pow!
Ha ha ha ha-ha - hoo hoo!
(Hey could somebody turn their ?butt?)
Shake your body down, chicka-pow!
A get, a get, a get ready
What you see is what you get
And you ain't seen nothin yet
I don't think I'm bad don't box and no karate
Just an MC to put the boogie in your body
go, back and forth then forth and back
We're the Sugarhill Gang we take no slack
Don't wear diamond rings or drive big cars
But the people just treat us like movie stars

We go dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy

It's up my back, it's around my neck
woo hah got them all in check
See it's up my back, it's around my neck
woo hah got them all in check

Ah let's scream, ah let's shout
Ah let's turn this function out
and keep keep it on, but you don't rush
Let's make this party the real Cold Crush
Let's scream, ah let's shout
Ah let's turn this function out
and keep keep it on, but you don't quit
Ah let's make this party the sure

Well I'm the Master G, and I'm the best
All the ladies say my voice is rated X
I'm a touch of lightning, a taste of fire
Well I'm the Master G, and I'm your desire
Young ladies, I said I rock the nation
Cause I got my own, transportation
I can rock just about, any age
So let your fingers do the walkin through the yellow page

Get up
Throwdown
We're funkward bound
Hey the Sugarhill Gang is in your town
Now baby doll
And all you daddy-o's
You better get ready to move your toes
So get up
Throwdown
We're funkward bound
Hey the Sugarhill Gang is in your town
Now baby doll
And all you daddy-o's
Scream it out and say yo, hit it!

Shake it, ah don't break it
Cause I know we can make make make it

You go ah, ahh, ah ah ooh ooh
And if you're ready to party and you're ready to jam
Scream it out and say, ***I am! (I AM!)***
Some-body! (SOME-BODY!) *Now you know you're hot*
You go ah, ah, ah ah ooh ooh"
Say what?"

From here until the end, the song is much more free form without a specific set of lyrics - there are more phrases, conversations and party sounds.

"Shake your body down! Chicka-pow!
Wooooooooooooooooooooooeeeeeeeeeeeee!
Ooooaaah ooooaaah! Ah huh hah hah!
[wolf whistle]
I see you girl, c'mon wit it now

I want to rock your world
Get it, so get get it, get ready for this
C'mon!
Closer closer, oooo aaah oooo aaah!
All the girls
Aight baby I like to move it mama ah ha ha ha
Ah ha ha ha ha
Rrrrrrrrrrrrah!
C'mon, yeah, closer
Wooo-hah! See that girl there?
To the beat beat beat
Ah hah hah [wolf whistle]
Chicka-pow, ah huh huh huh huh huh, rrrrh, rrrrrrrrrrrrrrrah!
There you go, hah hah hah!
Ahh, ahh girl, yeah baby
To rock your world, ooooaaah, ooooaaah
Pick it up, bring it up get down
Hoo, hah, hoo, hah
Rrrrrrrrrrrrah!
They definitely gotta be groovin now
Aight baby I like to move it mama ahhahaha
Say say say, ha ha
Say the bass was in your face
The hah's make you, made you rock
'ello m'love can I have this dance y'know?
Ahahahah-ha-hah
We got the groove to make you move
Oh me like it so, me like it so
Sugarhill Sugarhill
And you know that!
Everywhere
[wolf whistle]
Shake it up, shake it up"

2. The complete lyrics to BUSTA are printed below:

BUSTA - lyrics

Intro (0.00-0.20)

"Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw

Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw

Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw"

Chorus (1) (0.20-0.40)

"When I step up in the place ay yo, I step correct
Woo hah woo hah, got you all in check
I got that head nod shit that make you break your neck
Woo hah woo hah, I got you all in check

And you know we come through to wreck the discotheque
Woo hah woo hah, I got you all in check
Throw your hands up in the air don't ever disrespect
Woo hah woo hah I got you all in check"

Verse 1 (0.41-1.24)

"Busta Rhymes, up in the place true indeed
Yes, I catch wreck and that's word on my seed
I guarantee to give you what you need
One blood everybody like Junior Reid

Wake up every morning, yo, I must up seed
Nationwide ruckus make the world stampede
Yo, really let me roll some weed
Mad charged nigga now I must proceed

Yo, we 'bout to make moves set speed
Peace to Baby Phife, Q-Tip, Ali Shaheed
Watch me knock you out like Apollo Creed
Body blow bustin' your shit making you bleed

Just feed off dynamic flows and take heed
Need more information homeboy then just read
Ay ya, you can read all about the pure breed
Do the bogle dance, man, I'll do the pepper seed"

Chorus (2) (1.24-1.43)

"When I step up in the place ay yo, I step correct
Woo hah woo hah, I got you all in check
I got that head nod shit that make you break your neck
Woo hah woo hah I got you all in check

And you know we come through to wreck the discotheque
Woo hah woo hah, I got you all in check
Throw your hands up in the air and never disrespect
Woo hah woo hah, I got you all in check"

Verse 2 (1.44-2.25)

*"How dare you ever try to **step on my suede shoes**?*
'Top Gun' shut down your firm like Tom Cruise
Please let me get down and blow a fuse
Actin' fool breakin' shit down to molecules

*Yo, let me hit you with my **ill street blues***
Busta Rhymes, always headlines the street news
Woo hah woo hah, Yo, baby, girl don't be confused
Sail my seven seas and enjoy my boat cruise

I know you really want to know who's
Comin' through leaving bloodstains and residues
Sorry, homeboy but your flow sounds used
Got to pay your dues, baby, you know the rules!

Whenever I travel the world I Landcruise
If you choose to fuck around you get bruised
Now I got you gassed on super unleaded fuels
Get me through give me some space you excuse"

Chorus (3) (2.26-2.46)

"When I step up in the place ay yo, I step correct
Woo hah woo hah, I got you all in check
I got that head nod shit that make you break your neck
Woo hah woo hah I got you all in check

And you know we come through to wreck the discotheque
Woo hah woo hah, I got you all in check
Throw your hands up in the air and never disrespect
Woo hah woo hah, I got you all in check"

Bridge & Intro (performed simultaneously) (2.47-3.07)

(note: Only on this page below, lyrics in the Bridge are italicized. Lyrics in the Intro are not italicized.)

"You now rockin' with the best
Busta Rhymes coming through from the Flip Mode Squad
Boy Scout's who I be
Straight to your dome, we coming straight to your dome

Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw

Bringing all new ruckus to all you rap motherfuckers
Boy Scout's who I be, Flip Mode is the squ-id-ad
Busta Rhymes break it down like this

Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw
Yaw, yaw, yaw, yaw, yaw"

Verse 3 (3.08-3.49)

"Yo, which mother fucker stole my flow
Eenie, meenie, miney, mo
Throw that type of nigga right out my window
Blast your ass hit you with my direct blow

Bo, coming through like G.I. Joe
'Star Wars' movie deal like Han Solo
Make you bounce around like this was calypso
Always shine 'cause I got the high pro glow

You think that you can hide you think you can lay low
Roll up on your ass like Hawaii 5-0
Mad out with my dreads in my kango
Forget the Moet nigga just pass the cisco

Yo, take a trip down to Mexico
Come back with that shit that might make you psycho

Maximum frequencies through your stereo
Sorry this is it but homeboy I got to go"

Chorus (4) (3.50-4.10)

"When I step up in the place ay yo, I step correct
Woo hah woo hah, got you all in check
I got that head nod shit that make you break your neck
Woo hah woo hah, I got you all in check

And you know we come through to wreck the discotheque
Woo hah woo hah, I got you all in check
Throw your hands up in the air and never disrespect
Woo hah woo hah, I got you all in check"

Outro (4.11-4.31)

"Hey hey hey ho hey
Yo yo hey yo ho hey ho hey
Hey ho hey yo yo hey
ho yo yo hey"

10. The "Woo hah" phrase

1. The phrase, "woo hah got them all in check," appears four (4) times in SUGARHILL.

2. The phrase, "woo hah got them all in check," lasts for approximately two (2) seconds.

3. The phrase, "woo hah, woo hah I got you all in check," in BUSTA also lasts for approximately two (2) seconds.

4. The shorter phrase, "woo hah, woo hah got you all in check," (without the "I") lasts for approximately two (2) seconds in BUSTA.

5. The first two words, "woo hah," did not originate with SUGARHILL.

6. The phrase, "woo hah, woo hah I got you all in check" appears in BUSTA but not SUGARHILL.

7. The shorter phrase, "woo hah, woo hah got you all in check," also appears in BUSTA but not in SUGARHILL.

8. The phrase, “woo hah got them all in check,” is not important to SUGARHILL.

9. The phrase, “woo hah got them all in check,” of SUGARHILL is not heard until almost two (2) minutes have transpired - at 1.52-1.54. It is then repeated at 1.57-1.59.

10. The phrase, “woo hah got them all in check,” is not heard again for another two minutes and only then for the last time in the song - at 3.58-4.00 and 4.03-4.05.

11. The phrase, “woo hah got them all in check” appears four (4) times in SUGARHILL.

12. These four (4) statements of “woo hah got them all in check” last only eight (8) seconds of a recording that is 447 seconds in length.

13. The eight (8) seconds devoted to all four (4) statements of “woo hah got them all in check” constitute less than 2% (1.8%) of SUGARHILL. (8 seconds out of 447 seconds = 1.8%.)

14. The phrase, “woo hah got them all in check” is buried in two (2) longer lyrics within SUGARHILL.

15. The buried first occurrence of “woo hah got them all in check” occurs within this verse beginning at 1.46:

> *“Go dang diddy dang di-dang di-dang diggy diggy*
> *Dang diddy dang di-dang di-dang diggy diggy*
> *See it's up my back, it's around my neck*
> ***woo hah got them all in check***
> *See it's up my back, it's around my neck*
> ***woo hah got them all in check***
>
> *Ah let's scream, and let's shout*
> *And let's turn this function out*
> *and keep keep it on, but you don't rush*
> *Ah let's make this party the real Cold Crush*
> *Let's scream, and let's shout*
> *Ah let's turn this function out*
> *and keep keep it on, but you don't quit*
> *Let's make the party the sure”*

16. The buried second occurrence of “woo hah got them all in check” occurs within this even longer verse beginning at 3.47:

> *“We go dang diddy dang di-dang di-dang diggy diggy*
> *Dang diddy dang di-dang di-dang diggy diggy*

Dang diddy dang di-dang di-dang diggy diggy
Dang diddy dang di-dang di-dang diggy diggy
It's up my back, it's around my neck
woo hah got them all in check
See it's up my back, it's around my neck
woo hah got them all in check

Ah let's scream, ah let's shout
Ah let's turn this function out
and keep keep it on, but you don't rush
Let's make this party the real Cold Crush
Let's scream, ah let's shout
Ah let's turn this function out
and keep keep it on, but you don't quit
Ah let's make this party the sure "

17. It is not obvious whether this longer lyric, or the "woo hah" phrase, is a chorus or verse, as detailed earlier in "#5. Form."

18. The surrounding musical context of "woo hah got them all in check" in SUGARHILL is extremely dissimilar to the surrounding musical context of the longer, "woo hah, woo hah got you all in check" from BUSTA.

10a. The rhythm of the "Woo hah" phrase

1. "Woo hah, woo hah got you all in check" from BUSTA is a reference to "woo hah got them all in check" from SUGARHILL but one that has significantly transformed this brief phrase.

2. It is illustrative to analyze the opening, "woo hah," of SUGARHILL and BUSTA, from the viewpoint of rhythm.

3. If we count our steps as we walk forward at a steady pace, we can better understand the parallel between walking and counting beats in a measure of music.

4. As we put our right foot forward, we call this "1." As we then put our left forward, we call this "and."

5. This very short pattern - "1" followed by "and" - constitutes an entire beat in music.

6. Four (4) beats, therefore, would be:

1 and 2 and 3 and 4 and.

7. The Arabic number (1, 2, 3, 4) is always used to designate the right foot in this example.

8. The Arabic number can also be thought of as the "downbeat."

9. The other half of the beat - the “and” - is the “upbeat,” and the left foot in this example.

10. We can illustrate this four (4) beat pattern below:

1 and 2 and 3 and 4 and.

11. If we repeat this four (4) beat pattern, we have this:

1 and 2 and 3 and 4 and 1 and 2 and 3 and 4 and.

12. In order to make these four (4) beat patterns visually clearer, we can use bar lines (or written as one word, “barlines") as in the example below:

1 and 2 and 3 and 4 and | 1 and 2 and 3 and 4 and | 1 and (etc.)

13. The four (4) beats are located in what is known as a “measure.” The measure is demarcated by a bar line at the beginning and a bar line at the end.

14. The illustration above represents two (2) measures, and the beginning of a third measure.

15. Each of the two (2) measures contains four (4) beats.

16. In SUGARHILL, “woo hah” appears as the last note of a measure (“woo”) and the first note of the next measure (“hah”).

17. In SUGARHILL, the “woo” is on the “and” immediately after “4” above, and the “hah” is on the “1” of the next measure.

18. In SUGARHILL, the “woo” is the last upbeat of the measure.

19. In SUGARHILL, the “hah” is on the first downbeat of the following measure.

20. In SUGARHILL, “woo hah” begins on the upbeat (“and”) and concludes on the downbeat (“1) at the beginning of the next measure.

21. In SUGARHILL, “woo hah” is heard on “and 1.” (The “and” refers to the last “and” of the previous measure.)

22. The rhythm of BUSTA, on the other hand, is significantly different.

23. Whereas in SUGARHILL, the “woo” is always on an upbeat, in BUSTA, the “woo” is always on the downbeat.

24. Whereas in SUGARHILL, the “hah” is always on the downbeat, in BUSTA, the “hah” is always on the upbeat.

25. In other words, BUSTA and SUGARHILL feature the opposite rhythms with respect to “woo hah.”

26. Furthemore, in SUGARHILL, the "woo hah" is heard as the last upbeat of the measure (after the "4" of the measure) and the first downbeat ("1) of the new measure.

27. In BUSTA, the "woo hah, woo hah" occurs in different places in the measure.

28. In BUSTA, the first "woo hah" is heard on the downbeat of "3" and the "and" following it.

29. In BUSTA, there is a second "woo hah," unlike SUGARHILL in which there is only one (1) occurrence of "woo hah."

30. This second "woo hah," in BUSTA, is heard immediately after the first "woo hah" and on the next beat of the measure - "4 and."

31. In BUSTA, "woo hah, woo hah" occurs on 3rd beat, the upbeat following the 3rd beat, the 4th beat, and the upbeat following the 4th beat.

32. The "3 and 4 and," representing where the words, "woo hah, woo hah" are spoken, can be represented as below (eliminating numbers and occurrences of "and" where the words are not spoken).

BUSTA - "woo hah, woo hah" spoken on the 3rd beat, its upbeat, the 4th beat and its upbeat:

_____3 and 4 and | _____ 3 and 4 and |

33. In SUGARHILL, the "woo" is the last upbeat of the measure and the "hah" is the first downbeat of the following measure.

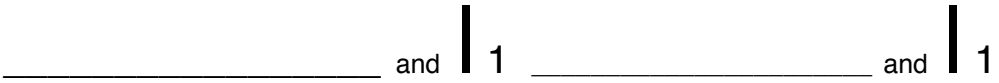
34. The "and 1," representing the "woo hah," can be represented as below (again, eliminating numbers and occurrences of "and" where the words are not spoken).

SUGARHILL - "woo hah" spoken on the last upbeat and the first downbeat:

_____ and | 1 _____ and | 1

35. The "Woo hah" statements can be best compared in the following alignment with BUSTA on top and SUGARHILL below:

_____3 and 4 and | _____ 3 and 4 and |



36. The “woo hah” statements in BUSTA and SUGARHILL are completely unrelated and in fact, opposite with respect to rhythm.

11. Referencing Is Common

0. In many Western popular music styles, and Western popular culture in general, it is not uncommon for lyrics to be referenced. Often, lyrics and names that might not have been very important in one context receive transformative value in another.

There are at least six (6) kinds of referencing in which lyrics or text are transformed from one context into another. These include:

A) Lyrics referenced as lyrics
B) Lyrics referenced as names of bands/artists
C) Lyrics referenced as magazine name
D) Lyrics referenced as names of organizations
E) Lyrics referenced as names of companies
F) Movie titles referenced as band names

To elaborate further:

A) Lyrics referenced and transformed as lyrics:

1. James Brown “Papa's “Got A Brand New Bag” (1965) referenced in **Mystikal** “Never Gonna Bounce” (1996).

> James Brown “Papa's “Got A Brand New Bag” (1965) - "Papa's got a brand new bag" is first heard at 0.20.
>
> "Papa's got a brand new bag" is referenced in Mystikal “Never Gonna Bounce” (1996) at 0.27-0.29.

2. The Clovers “Lovey Dovey” (1954) referenced in **Steve Miller** “The Joker” (1973).

The Clovers “Lovey Dovey” (1954) - “you the cutest thing that I did ever see, I really love your peaches want to shake your tree, lovey dovey, lovey dovey, all the time…” is heard from 0.10-0.32.

Steve Miller “The Joker” (1973) - “you’re the cutest thing that I ever did see, I really love your peaches want to shake your tree, lovey dovey, lovey dovey, lovey dovey all the time…” is heard from 2.02-2.19.

3. Bob Dylan “It’s All Over Now Baby Blue” (1965) is referenced in **George Harrison** “When We Was Fab” (1988).

Bob Dylan “It’s All Over Now Baby Blue” (1965) - “it’s all over now, Baby Blue” is heard at 0.47-0.53, 1.34-1.40, 2.21-2.26, 3.53-3.59.

George Harrison “When We Was Fab” (1988) - “it’s all over now, Baby Blue” is heard at 2.27-2.30.

4. The Four Tops “I Can’t Help Myself (Sugar Pie, Honey Bunch)” (1965) referenced in **George Harrison** “This Song” (1976).

The Four Tops “I Can’t Help Myself (Sugar Pie, Honey Bunch)” (1965) - “sugar pie, honey bunch" - is first heard at 0.11-0.13.

George Harrison “This Song” (1976) - “sugar pie, honey bunch” - is heard at 1.32-1.34.

5. Isaac Hayes “Shaft” (1971) referenced in **Pearl Jam** “Dirty Frank” (1991).

Isaac Hayes “Shaft” (1971) - "you see this cat Shaft is a bad mother----Shut your mouth!---well I'm talking about Shaft--- we can dig it" - is heard between 3.21-3.28.

Pearl Jam “Dirty Frank” (1991) - "well that Dirty Frank was a bad mother---Shut your mouth!---hey man I'm just talking about Dirty Frank" - and heard between 1.47-1.52.

6. Jimi Hendrix “If 6 Was 9” (1967) referenced in **Crosby, Stills, Nash & Young** “Almost Cut My Hair” (1970).

Jimi Hendrix “If 6 Was 9” (1967) - "but I'm gonna wave my freak flag high, high!" is heard at 1.42.

"If 6 Was 9" (1967) is referenced in Crosby, Stills, Nash & Young "Almost Cut My Hair" (1970) - "I feel like letting my freak flag fly" and heard at 0.51-0.58.

7. Jimi Hendrix "If 6 Was 9" (1967) used in **They Might Be Giants** "How Can I Sing Like A Girl" (1996).

Jimi Hendrix "If 6 Was 9" (1967) - "but I'm gonna wave my freak flag high, high!" is heard at 1.42.

"If 6 Was 9" (1967) is referenced in They Might Be Giants "How Can I Sing Like A Girl" - "I want to raise my freak flag higher and higher and, I want to raise my freak flag..." is heard between 0.58-1.11 and 2.30-2.43.

8. Blind Lemon Jefferson "Match Box Blues" (1927) referenced by **Leadbelly** "Packin' Trunk" (1935).

Blind Lemon Jefferson "Match Box Blues" (1927) - "sitting here wondering would a matchbox hold my clothes, I'm sitting here wondering would a matchbox hold my clothes, I ain't got so many matches but I've got so far to go" is heard at 0.37-1.02.

Leadbelly "Packin' Trunk" (1935) - "I'm sitting down here wondering would a matchbox hold my clothes, I'm sitting down here wondering would a matchbox hold my clothes, I'm sitting down here wondering would a matchbox hold my clothes" is heard at 0.45-1.05.

9. **Leadbelly** "Packin' Trunk" (1935) referenced by **Carl Perkins** "Matchbox" (1956).

Leadbelly "Packin' Trunk" (1935) - "I'm sitting down here wondering would a matchbox hold my clothes, I'm sitting down here wondering would a matchbox hold my clothes, I'm sitting down here wondering would a matchbox hold my clothes" is heard at 0.45-1.05.

Carl Perkins "Matchbox" (1956) "well I'm sitting here wondering would a matchbox hold my clothes, yeah I'm sitting here wondering would a matchbox hold my clothes, I ain't got no matches but I got a long way to go." is heard at 0.05-0.20.

10. Manfred Mann "Do Wah Diddy" (1964) referenced by **Fu-Schnickens** "True Fuschnick" (1992).

Manfred Mann "Do Wah Diddy" (1964) - "do wah diddy diddy dum diddy do" is first heard at 0.07-0.10.

Fu-Schnickens “True Fuschnick” (1992) - “do wah diddy diddy dum diddy do” is heard at 1.20-1.22.

11. Carl Perkins “Matchbox” (1956) referenced by **Albert King** “Searching For A Woman” (1961).

Carl Perkins “Matchbox” (1956) “well I’m sitting here wondering would a matchbox hold my clothes, yeah I’m sitting here wondering would a matchbox hold my clothes, I ain’t got no matches but I got a long way to go.” is heard at 0.05-0.20.

Albert King “Searching For A Woman” (1961) - “sometimes I wonder would a matchbox hold my clothes, yeah sometimes I wonder would a matchbox hold my clothes, I don’t have so many but I’ve got so far to go” is heard at 0.27-0.48.

12. Elvis Presley “Baby, Let’s Play House” (1955) referenced in **The Beatles** “Run For Your Life” (1965).

Elvis Presley “Baby, Let’s Play House” (1955) - “I’d rather see you dead little girl than to be with another man” is heard at 1.45-1.50.

The Beatles “Run For Your Life” (1965) - “I’d rather see you dead little girl than to be with another man” is heard at 0.07-0.12.

13. Smokey Robinson “You’ve Really Got A Hold On Me” (1962) referenced in **George Harrison** “When We Was Fab” (1988).

Smokey Robinson “You’ve Really Got A Hold On Me” (1962) - “you’ve really got a hold on me” is heard at 0.33-0.45, 1.06-1.19, 2.07-2.20, 2.37-2.56.

George Harrison “When We Was Fab” (1988) - “and you really got a hold on me” is heard at 3.00-3.04.

14. The Rolling Stones “Get Off Of My Cloud” (1965) referenced in **SheDaisy** “Get Over Yourself” (2002).

The Rolling Stones “Get Off Of My Cloud” (1965) - "get off of my cloud" - is first heard at 0.43.

SheDaisy “Get Over Yourself” (2002) - “get off of my cloud” is first heard at 0.50.

15. Stoney & Meatloaf “What You See Is What You Get” (1971) referenced in **The Sugarhill Gang** “8th Wonder” (1980).

Stoney & Meatloaf "What You See Is What You Get" (1971) - "what you see is what you get and you ain't seen nothing yet" - is first heard at 0.43.

Sugarhill Gang "8th Wonder" (1980) - "what you see is what you get and you ain't seen nothing yet" is first heard at 3.29-3.34.

B) Lyrics referenced as names of bands/artists

1. Beatles "Hello Goodbye" (1967) was used for band name, Hello Goodbye.

2. Black Sabbath "After Forever" (1971) was used for band name, After Forever.

3. Bonzo Dog Doo-Dah Band "Death Cab For Cutie" (1967) was used for band name, Death Cab For Cutie.

4. Dave Brubeck "Take Five" (1959) was used for band name, Take 6.

5. Bob Dylan "Ballad Of Frankie Lee And Judas Priest" (1967) was used for band name, Judas Priest.

6. Inside Out "Rage Against The Machine" (1991) was used for band name, Rage Against The Machine.

7. Tommie Johnson "Canned Heat Blues" (1928) was used for band name, Canned Heat.

8. New Edition "Boys To Men" (1988) was used for band name, Boyz II Men

9. Queen "Radio Ga Ga" (1984) was used for artist name, **Lady Gaga**.

10. Steely Dan "Deacon Blues" (1977) was used for artist name, Deacon Blue.

11. Talking Heads "Radio Head" (1986) was used for band name, **Radiohead**.

12. Talking Heads "The Big Country" (1978) was used for band name, Big Country.

13. Muddy Waters "Rolling Stone" (1950) was used for band name, **The Rolling Stones**.

C) Lyrics referenced as magazine name

1. Muddy Waters' “Rolling Stone” (1950) was used for magazine name, Rolling Stone.

D) Lyrics referenced as names of organizations

1. Elvis Costello's “Poor Fractured Atlas” (1996) - "poor fractured Atlas..." - heard at 0.54 and 2.31, was used for Fractured Atlas, a national nonprofit arts services organization founded in 1998 by Adam Huttler.

E) Lyrics referenced as names of companies

1. The Rolling Stones’ “Ruby Tuesday” (1967) was used as the name of a restaurant chain. http://www.rubytuesday.com

F) Movie titles referenced as band names

1. The film, *All The Fine Young Cannibals* (1960) was used for the band name, Fine Young Cannibals.

2. The fi lm, *Bad Company* (1925) was used for the band name, Bad Company.

3. The film, *Black Sabbath* (1963) was used for the band name, Black Sabbath.

4. The film, *Faster, Pussycat! Kill! Kill!* (1965) was used for the band name, Faster Pussycat.

5. The film, *God Speed You! Black Emperor* (1976) was used for the band name, Black Emperors.

6. The film, *The Knack (And How To Get It)* (1965) was used for the band name, The Knack.

7. The film, *The Mission* (1986) was used for the band name, The Mission.

8. The film, *Shaolin and Wu Tang* (1983) was used for the band name, Wu-Tang Clan.

9. The film, *Scarface* (1983) was used for the artist name, Scarface.

10. The film, *The Searchers* (1956) was used for the band name, The Searchers.

11. The film, *They Might Be Giants* (1971) was used for the band name, They Might Be Giants. In another nod to the film, They Might Be Giants also wrote a song called, "They Might Be Giants."

12. The film, *White Zombie* (1932) was used for the band name, White Zombie.

11. Referencing In BUSTA

There are at least three (3) references in BUSTA:

1. "Woo hah, woo hah got you all in check" referenced Sugarhill Gang's "Woo hah, got them all in check," from "8th Wonder" (1980).

2. "How dare you ever try to step on my suede shoes?" referenced Carl Perkins' "Blue Suede Shoes" (1956).

3. "…my ill street blues" - referenced "Ill Street Blues" by Kool G. Rap & DJ Polo (1992) which referenced the NBC TV series, "Hill Street Blues," that ran from 1981-1987.

12. Referencing In SUGARHILL

There are at least three (3) references in SUGARHILL:

1. "What you see is what you get and you ain't seen nothing yet" referenced "What you see is what you get and you ain't seen nothing yet" from Stoney & Meatloaf "What You See Is What You Get" (1971).

2. "I am, I am, Somebody, Somebody" referenced "I am, I am, Somebody, Somebody" from the poem, "I Am - Somebody" written by Rev. William H. Borders, of the Wheat Street Baptist Church in Atlanta, Georgia. The first reference is heard at 0.59-1.04.

3. "I am, I am, Somebody, Somebody" referenced "I am, I am, Somebody, Somebody" from the poem, "I Am - Somebody" written by Rev. William H. Borders, of the Wheat Street Baptist Church in Atlanta, Georgia. The second reference is heard at 5.09-5.14.

13. Rhyme Scheme

1. BUSTA is a brilliant showpiece when it comes to lyrics, especially with its challenging and original rhyme scheme.

2. Each chorus has eight (8) lines, all of which rhyme with the first line.

BUSTA

3. Chorus: All eight (8) lines of the chorus rhyme:

A (correct)
A (check)
A (neck)
A (check)

A (discotheque)
A (check)
A (disrespect)
A (check)

4. Each of the three (3) verses has sixteen (16) lines, all of which rhyme with the first line.

5. Verse 1: All sixteen (16) lines of Verse 1 rhyme.

B (indeed)
B (seed)
B (need)
B (Reid)

B (seed)
B (stampede)
B (weed)
B (proceed)

B (speed)
B (Shaheed)
B (Creed)
B (bleed)

B (heed)
B (read)
B (breed)
B (seed)

6. Verse 2: All sixteen (16) lines of Verse 2 rhyme.

C (shoes)
C (Cruise)
C (fuse)
C (molecules)

C (blues)
C (news)
C (confused)
C (cruise)

C (who's)
C (residues)
C (used)
C (rules)

C (Landcruise)
C (bruised)
C (fuels)
C (excuse)

7. Verse 3: All sixteen (16) lines of Verse 3 rhyme.

D (flow)
D (mo)
D (window)
D (blow)

D (Joe)
D (Solo)
D (calypso)
D (glow)

D (low)
D (5-0)
D (kango)

D (cisco)

D (Mexico)
D (psycho)
D (stereo)
D (go)

8. There is no clearly discernible rhyme scheme in SUGARHILL due to the ambiguity of its form.

14. Commentary on the Report by the Plaintiff's Expert Witness

1. The Plaintiff's Expert Witness and I are in agreement on a three (3) significant points.

2. We agree that the phrase "woo hah" is not original to SUGARHILL.

In her words:

"The phrase, 'woo hah,' can be found in Kung Fu movies and, well before that, in cowboy movies."

3. I also agree with her that the "woo hah" phrase is not original or unique.

In her words:

"The phrase is not unique."

4. We further agree that the two songs bear little resemblance.

In her words:

"Musicological similarities are limited to the lyric phrase only in the two songs."

5. These are important points that are central to the discussion of possible copyright infringement between BUSTA and SUGARHILL.

6. These points alone (in addition to the body of my report, above) point to the most reasonable conclusion - that BUSTA likely referenced SUGARHILL but did not copy or infringe the copyright of SUGARHILL.

7. A serious mistake in her report, as evidenced in Ms. WIlbur's transcription of the rhythm of the "woo hah" statements, however, needs to be corrected.

8. From Ms. Wilbur's report:

> "However, the melodic **rhythm**, **phrasing** and **position in the phrase** (the second line of the phrase) is the same in both."

9. This is statement is incorrect, as is her score created to illustrate her statement through a musical transcription: her "Comparison of "Woo Hah" Hook."

10. The "rhythm" as well as "phrasing" and "position in the phrase" cannot be the same because, quite simply, there are a different number of words in each phrase.

11. BUSTA sometimes features this phrase:

> "woo hah woo hah got you all in check"

12. Notice that this phrase - "woo hah woo hah got you all in check" - has nine (9) words.

13. Notice that at other times this phrase is changed to, "woo hah woo hah I got you all in check" - and has ten (10) words.

14. To the contrary, SUGARHILL always states:

> "woo hah got them all in check"

15. Notice that this phrase has seven (7) words.

16. These "woo hah" phrases between SUGARHILL and BUSTA are never of the same length as one phrase (SUGARHILL) will always have seven (7) words while the comparative phrases (BUSTA) all have either nine (9) or ten (10) words.

17. These "woo hah" phrases of SUGARHILL and BUSTA are never of the same rhythmic length.

18. These "woo hah" phrases of SUGARHILL and BUSTA are never of the same temporal length.

19. Even more significantly, the "woo hah" statements occur in different places in the measure, NOT in the same place as Ms. Wilbur has written.

20. In BUSTA, "woo" is always a downbeat, and "hah' is always an upbeat.

In SUGARHILL, “woo” is always an upbeat, and “hah’ is always a downbeat.

21. In BUSTA, the emphasized syllable is always “woo.”
    In SUGARHILL, the emphasized syllable is always “hah.”

22. In BUSTA, “woo hah” is always stated twice, i.e., back-to-back.
    In SUGARHILL, “woo hah” is always stated once. It is NEVER stated twice. It is always stated back-to-back.

23. In BUSTA, “woo hah” is always stated as “woo hah woo hah.”
    In SUGARHILL, “woo hah” is never stated as “woo hah woo hah.”

24. In BUSTA, “woo hah woo hah” lasts for two (2) beats.
    In SUGARHILL, “woo hah” lasts for one (1) beat.

25. In BUSTA, “woo hah woo hah” always begins on the 3rd beat.
    In SUGARHILL, “woo hah woo hah” always begins on the upbeat after the 4th beat.

15. CONCLUSION

Based upon the aforesaid, I believe that SUGARHILL and BUSTA are not substantially similar.

A musical comparison between the two songs based upon rigorous analysis of the music and lyrics reveal no substantive similarities but instead tremendous differences. THERE ARE NO SIGNIFICANT POINTS OF SIMILARITY - melodic, harmonic, rhythmic, structural or lyrical - between SUGARHILL and BUSTA. The only elements found similar between these songs appear to be commonplace.