

No Infringement Intended: Insights on the Legality of Music Sampling

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The practice of music sampling, which is the integration of pre-recorded sounds into new musical gestures, experienced a golden, unregulated age in the late 1980s that is almost unimaginable today. Major works like Public Enemy's *It Takes a Nation of Millions to Hold Us Back* (1988) and De La Soul's *3 Feet High and Rising* (1989) layered dozens of samples on a single track, while massive commercial hits like Tone-L?c's "Wild Thing" (1988) openly lifted core musical elements.

This era of unregulated creative license and intense sampling is best seen by the Beastie Boys' 1989 album, "Paul's Boutique", a complex sonic work built by producers, The Dust Brothers. While the album is widely lauded by critics and the public alike as a work of important stature and a cultural shift, the legal climate surrounding sampling changed dramatically shortly thereafter, leading many to wonder if sampling was still encouraged or even allowed. The single, definitive legal ruling in the case involving rapper and singer/songwriter, Biz Markie, established the principle, "Thou shalt not steal" changed everything.

Drawing on these cases, we'll explore the world of music sampling and the legal implications that have evolved over time. Can you still sample like it's 1989?

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