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Dilla Time: Copyright and Distributive Justice for Beatmakers

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Overview

- *Dilla Time*: new fundamental time feel (compare straight, swing, etc.)
- Copyright's (old) paradigm: classical and sheet music, discrete 12 tone, evenly subdivided time, analytic science
- The need for a new paradigm: rhythm, timbre, instruments, and DAWs; music as *continuous* not *discrete* pitch/time
- Overdue protection for J. Dilla's epochal music innovation



A New Fundamental Time Feel

Straight time:

European classical
music



Swing time:

blues, jazz, swing,
gospel, much of rock



“Bohemian Rhapsody,” Queen

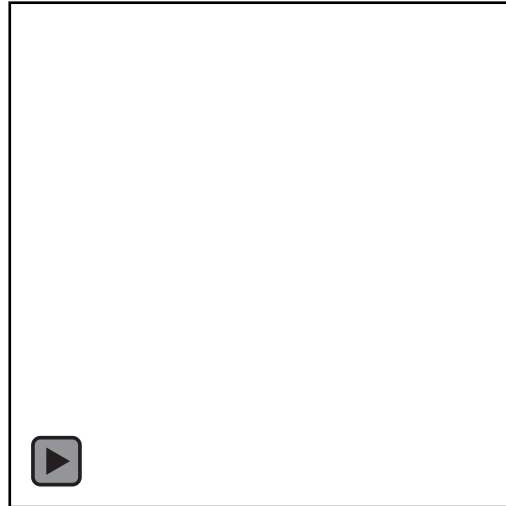
Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)



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A New Fundamental Time Feel

Machine time: drum machines (e.g. 808), metronomes, and click tracks

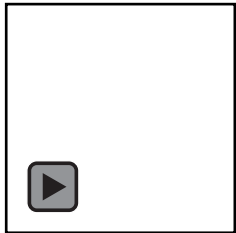


“Sucker M.C.’s (Krush-Groove 1),” Run-D.M.C.



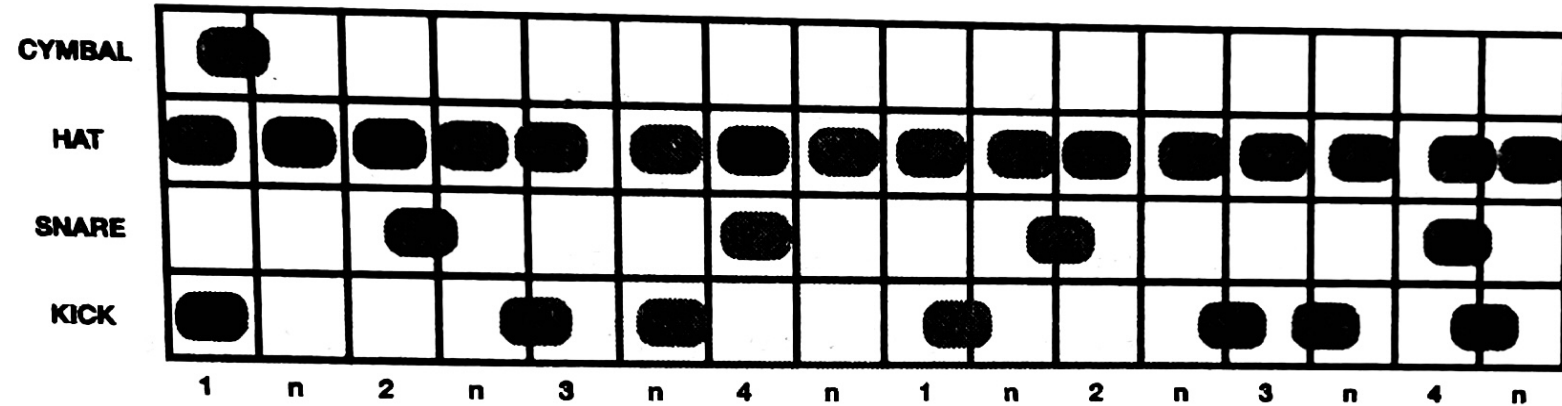
A New Fundamental Time Feel

Sample time:
unquantized vs.
quantized beats

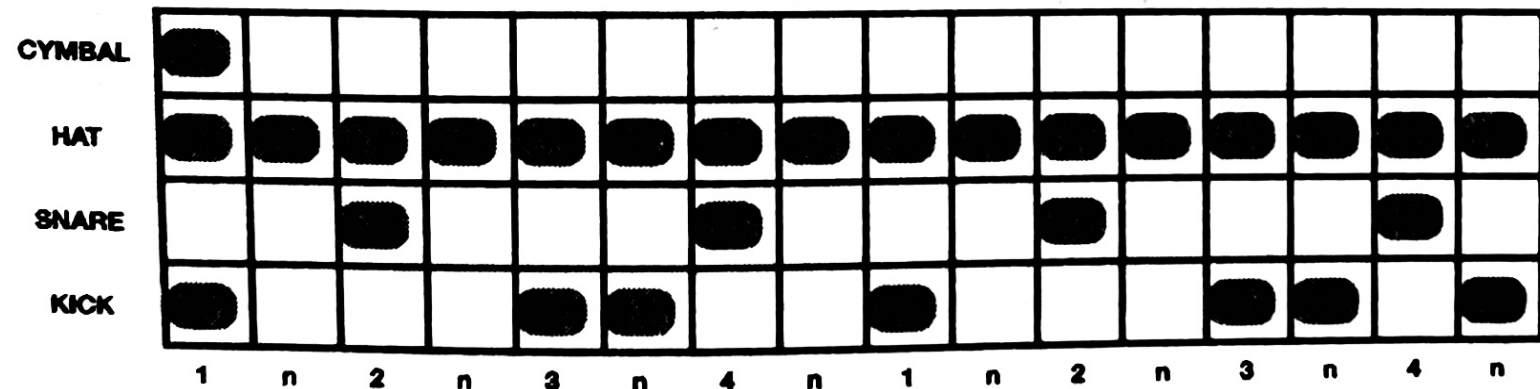


“I Know You Got Soul,”
Eric B. & Rakim

UNCORRECTED or UNQUANTIZED NOTES



CORRECTED or QUANTIZED NOTES, adjusted to nearest grid point



Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)

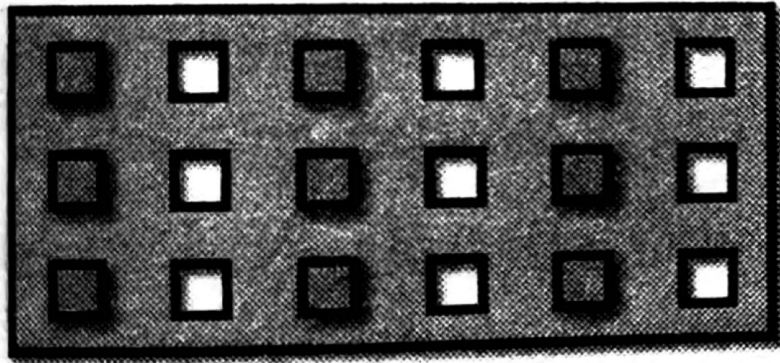


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A New Fundamental Time Feel: Dilla Time

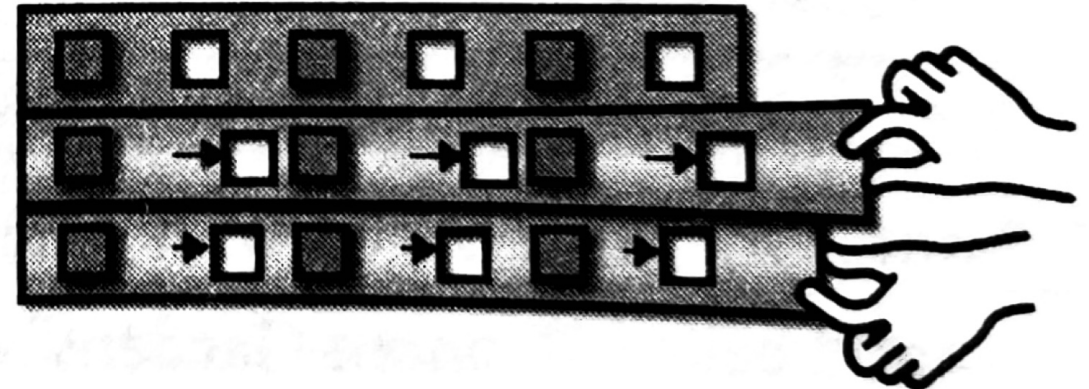
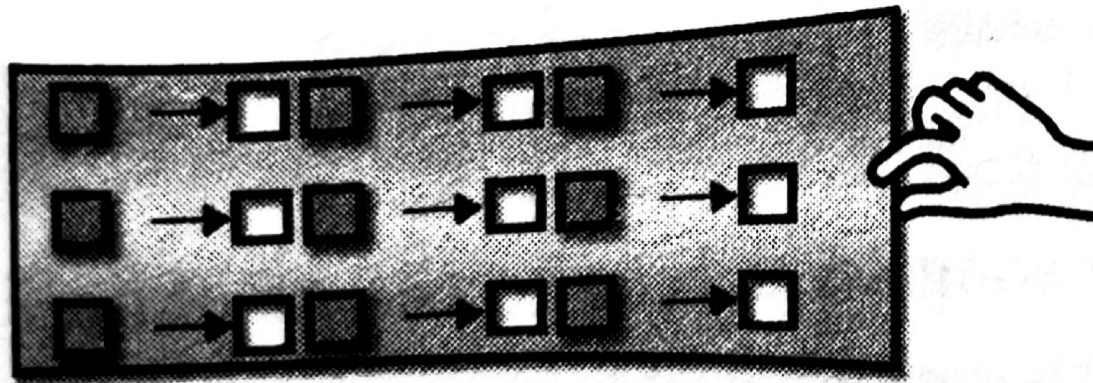
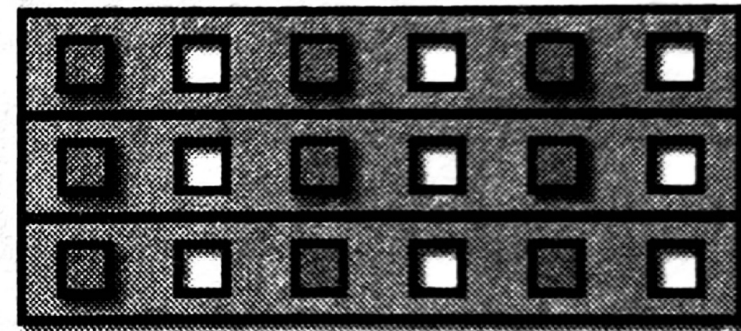
SP-1200 SWING

Tracks stretched together



MPC SWING

Tracks stretched separately



Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)

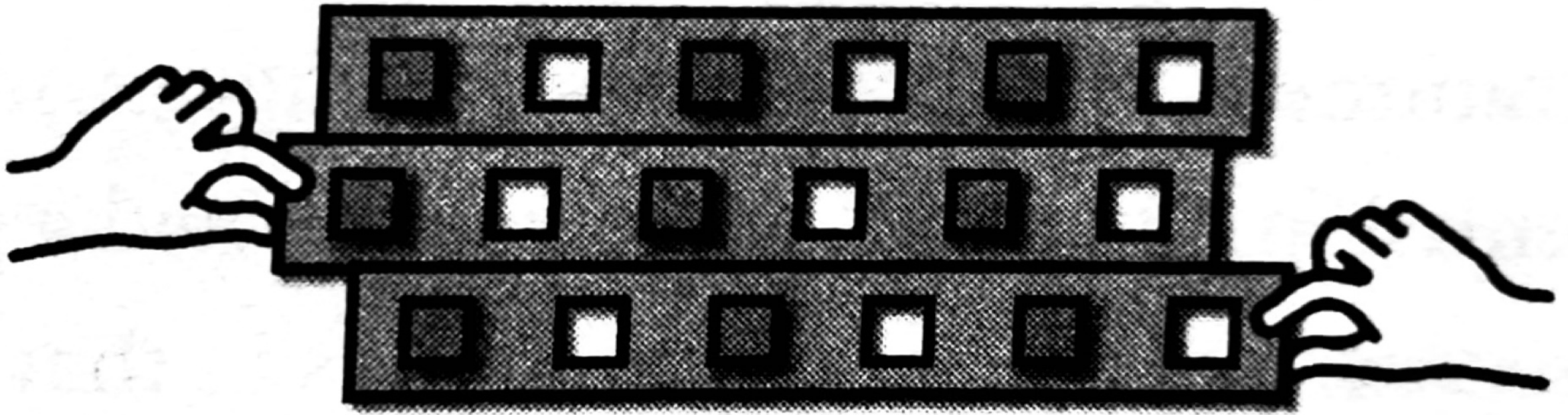


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A New Fundamental Time Feel: Dilla Time

MPC SHIFT TIMING

Events mover earlier/later



Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)



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A New Fundamental Time Feel: Dilla Time

Count	1	n	2	n	3	n	4	n	1	n	2	n	3	n	4	n
STRAIGHT SHARE																
STRAIGHT KICK																



Results in an *even* relationship between elements, no conflict with the straight pulse

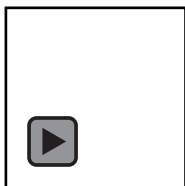
even	even	even	even	even	even	even	even
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Count	1	n	2	n	3	n	4	n	1	n	2	n	3	n	4	n
RUSHED SHARE																
STRAIGHT KICK																



Results in an *uneven* relationship between elements, creating conflict with the straight pulse

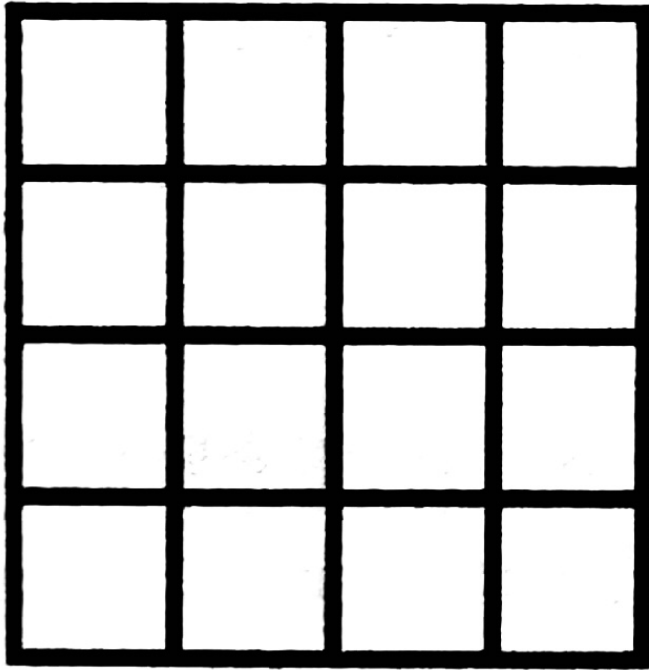
short	long	short	long	short	long	short	long
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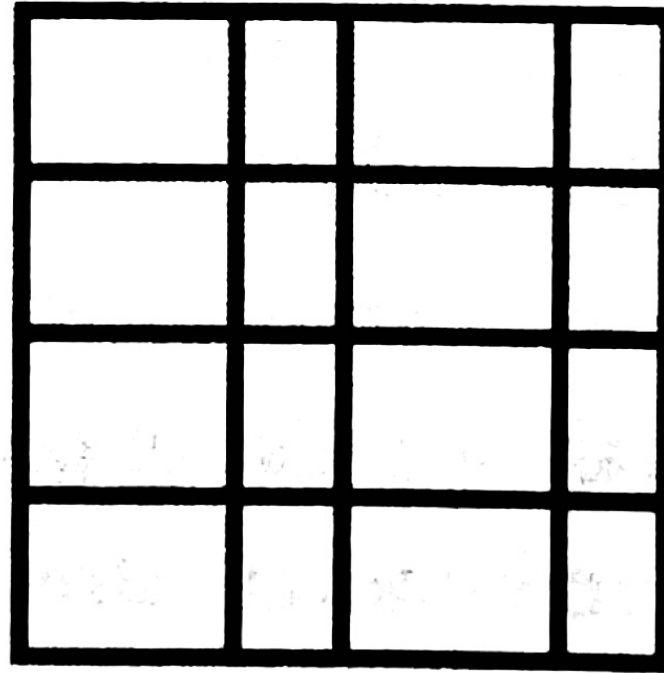
“Go Ladies,”
Slum Village

Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)

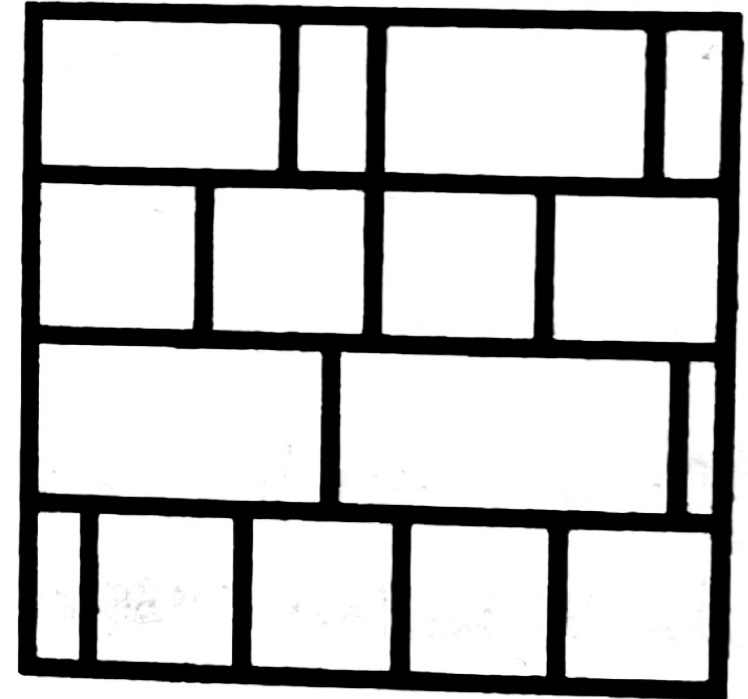
A New Fundamental Time Feel: Dilla Time



STRAIGHT TIME



SWING TIME



DILLA TIME

Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)



A New Fundamental Time Feel: Dilla Time

Count	1	n	2	n	3	n	4	n	1	n	2	n	3	n	4	n
HAT																
KICK																
SNARE																
	S	w	S	w	S	w	S	w	S	w	S	w	S	w	S	w

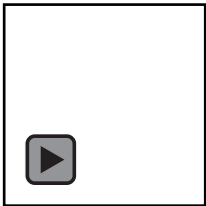
Conventional Hip-Hop

Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)



A New Fundamental Time Feel: Dilla Time

Count	1	n	2	n	3	n	4	n	1	n	2	n	3	n	4	n
HAT																
KICK																
SNARE																
	S	w	S	w	S	w	S	w	S	w	S	w	S	w	S	w



“Thelonious,”
Slum Village



Snare appears on a weak beat, rather than on a strong one, where we expect it

Credit: Dan Charnas, *Dilla Time* (MCD Picador 2022)



Copyright's (Old) Paradigm

- European classical music
- Piano sheet music
- Discrete 12 tone system
- Discrete evenly subdivided time units
- Analytical scientific approach



The Need for a New Paradigm

- Example: the *least* innovative thing about music's transformation in the '60s-'70s was melody; innovation was in rhythm, groove, timbre, instruments, and recording
- African and Latin originating musical innovation transformed 20th c. music based on *continuous* and *aural* approach to pitch and time
- Conventional copyright experts have sought to exclude these non-white innovations
- For this presentation, *beats* need to be understood as entire song beds *that inspire and define hit songs for their composer/producers*
- Distributive justice supports transformation of copyright to accommodate the commercially and critically valuable innovation of modern musicians



A New Copyright Paradigm

- Holistic approach to music as *aural experience* (not visual proxy)
- *Continuous* pitch spectrum
- *Continuous* time spectrum
- Documentation includes phonorecordings, DAW tracks (including visual elements), and digital recognition tools (Shazam, GenAI bias patterns, “fingerprints”, etc.)



Overdue Protection for J. Dilla's Epochal Music Innovation

- *Style* based protection centered on copyright, TM, or sui generis
- *Not* protection for general approach of continuous microshifts of rhythm elements against each other (though this was Dilla's innovation at an abstract level—but too abstract for protection)
- Protection for the “trademark” particular rhythmic offsets Dilla employed





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