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## **PLAGIARISM: PROBLEMS AND INFLUENCE ON MUSIC WORLD**

According to Article 50 of the Law of Ukraine "On Copyright and Related Rights", plagiarism is the promulgation (publication), in whole or in part, of the other person's work under the name of a person who is not the author of that work (4). Of course, for the publication of plagiarism, there is a penalty. Criminal liability for such actions is provided by Article 176 of the Criminal Code of Ukraine, namely, a fine of two hundred to one thousand tax-free minimum incomes (from 2400 to 17000 UAH) with confiscation of all copies of works, material carriers of computer programs, databases, performances, phonograms, broadcasting programs and equipment and materials intended for their production and reproduction.

Nothing comes from scratch anymore, and music is no exception. The first thing bands talk about when they form their influences, and they typically start by (and never really stop) playing other people's music.

Such genres as folk, blues, and hip-hop, are based upon liberal borrowing out of either tradition or necessity. Simply put, every artist you love, no matter how unique, innovative, and game-changing they may be, stands on the proverbial shoulders of giants (1).

Indeed, plagiarism is widespread not only in literature but is also popular in music.

The first musical compositions are unique, but not in our time. Years ago, they were considered unique and inimitable, but now almost each of them is distorted and sung millions of times. According to the most popular opinions, it is much easier to turn someone else's work into a hit that will be more popular and well-known. This is

plagiarism. But it is not always the case that a person whose own work has been stolen go to law. However, there is a global intellectual property organization (3) that provides certain actions to uncover the nature of the crime and punish the perpetrator. Sometimes two authors wrote the same works not long before each other, then what to do in such a situation? The court provides a study that should reveal who published or created the work earlier, respectively, the one who did it later is considered a plagiarist.

Unfortunately, plagiarism in music is growing, because everyone uses the same notes and their combinations. Nobody will hear it because the authors can change the rhythm and tempo of the work, and for that reason, the sequence of notes recedes into the background, i.e., it becomes a secondary problem.

However, sometimes there are cases when the copyright holder cannot seek help (to restore copyright) in court due to a lack of pieces of evidence. (Even the above-mentioned World Intellectual Property Organization can't help if the laws are different (in countries that are involved in this). We draw a small conclusion that the settlement in each country is different, and in some there is none.

However, how does all this affect the authors of the work? If we talk about non-court decisions, the statement of plagiarism simply as a fact, the work that will pass the examination (conducted by a special commission) and plagiarism will be removed from publication. We all live in the 21st century, and understand that it is impossible to delete anything from the internet, there will always be a person who saved the work on the device, or sent it to someone else, and it's at least a hundred copies. And how many such copies exist now?

No expert will ever establish this. And unfortunately, plagiarism on the internet cannot be stopped.

## REFERENCES

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4. Zakon Ukrainy "Pro avtorske pravo i sumizhni prava" [Law of Ukraine "On Copyright and Related Rights"]. URL: <https://zakon.rada.gov.ua/laws/show/3792-12#Text> (Last accessed: 22.02.2022) [in Ukrainian].