

Sandy Wilbur

Music Expert Witness

Igor Stravinsky once said, “Good composers borrow; great composers steal.” These days, though, musicians run the risk of being sued for stealing and borrowing. Thanks to sampling technology, for example, musicians can easily gather ideas as well as make new music incorporating actual snippets of other people’s recordings. But those who originally composed the music want their fair share of the pie, and that’s where legal problems can arise. Sandy Wilbur is president of her own company, Musiodata, where one of her main jobs involves studying the similarities and differences between new pieces of music and earlier ones. Her work enables her to advise her clients on both how to avoid lawsuits and how to protect their music. Sandy graciously took the time to explain to MA! how her lifelong passion for music led to her specialized profession.

Q: What were your earliest musical experiences?

A: I started playing the piano when I was 4, and I wrote my first song when I was 5. In first grade, I had my first experience playing in front of a group of people. I had just taken up the violin four weeks earlier, and I did a nursery rhyme with this pianist who accompanied me in the wrong key. So I turned around and said, “It’s in G, not C.” It was pretty embarrassing, and that was basically the end of my performing career.

Q: What other kind of training did you have?

A: In my last two years of high school, I studied classical performance at Yale University. I went on to receive my undergraduate degree from Sarah Lawrence College, and I

also studied composition at UC Berkeley. I finished up at UCLA, where I received my Master’s degree in ethnomusicology [the study of different cultures’ music]; I concentrated on the music of the Pawnee and Ponca Indians.

Q: How did you get into your career?

A: After teaching as an adjunct music professor at CPCC in Charlotte, NC, I moved to the New York area. There, I met with the head of music at Benton and


between two pieces are obvious to the average listener, and if so, did the similarities appear independently of each other? That leads to a lot of other questions, and I have to do a thorough analysis of the melody, harmony, lyrics, rhythm, arrangement, timbre, and overall production of the music. With that research, I can then advise lawyers of potential litigation.

Q: What kind of tools do you use?

A: The most important tool is my ear. I can automatically see the notes of any piece I hear and then write the music down. Other tools of the trade consist of a variety of audio formats and a number of programs that can be used to edit and play back music on my computer. Plus, I have a nationwide team of experts—people with encyclopedic knowledge of melodies and grooves—whom I can call on to research certain pieces of music. I’m

always looking for young people who know a lot about pop and hip-hop, because that’s often where litigation arises—questions of whether or not someone stole a sample or melody, a person’s sound pointing directly to a particular artist, etc. Hip-hop has more sample questions; pop, more composition infringement questions.

Q: What do you like best about your career?

A: I’m thankful to have become successful in the music business, while wearing many hats. 



Bowles [Advertising Agency], who, soon after offering me the position of Associate Music Director, asked me to be the music expert for a suit that they were working on. The lawyers in the case asked me to consult with them on other cases, and this led to my starting my own company.

Q: How do you determine whether or not a piece of music is in violation of copyright laws?

A: There are a number of levels on which I analyze the music. First, I have to ask if the similarities