

ENTERTAINMENT MARCH 8, 2017

Bounce artist Messy Mya's family is sending Beyonce bouncing into court



JPAYE

Depending on how heavily one considers herself a member of the Beyhive or not, the topic of Best Album of the Year at the 2017 Grammys could go from a talking point to a yelling point. Adele had her say. The Beyhive had their say. And Beyonce just seemed somewhere between gracious and stunned by the attention Adele gave her onstage during her Grammys acceptance speech.

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**FINANCIAL FREEDOM: THE
LEGAL HIGHS AND LOWS
OF INDEPENDENT ARTISTS
VS. MAJORS**



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There's no denying that "Formation" left a memorable impact in R&B, pop and overall activism. From police brutality to racial profiling to Hurricane Katrina, Beyonce covered it all in one video. Unfortunately for the Queen Bey, someone else had something to say about "Formation" and it may lead the expecting mother into a courtroom.

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According to [Washington Post](#), one of the two notable voices on Beyoncé's first single from "Lemonade" was

According to [Washington Post](#), one of the two notable voices on Beyonce's first single from "Lemonade" was from Anthony "Messy Mya" Barre, a YouTube music/comedic sensation who was [killed in November 2010](#) after leaving a baby shower for his first son. With [77 YouTube videos](#) and with video clicks as high as 566K, it makes sense that fans of Messy Mya would notice that distinguishable voice on "Formation," shouting lines such as "What happened at the New Orleans?" (variation: "What happened at the New Wildins?"); "B—h, I'm back, by popular demand"; and "Ooh yeah, baby, oh yeah, ooh, yes, I like that."

Warning: Explicit language is included in this video.



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For those unfamiliar with Messy Mya, those lines may have been incorrectly linked to an additional bounce legend artist Big Freedia, whose line about cornbread and collard greens put a smile on the faces of soul food lovers. However, one of the most obvious differences between the two is Big Freedia is still alive to openly discuss participating on “Formation.”

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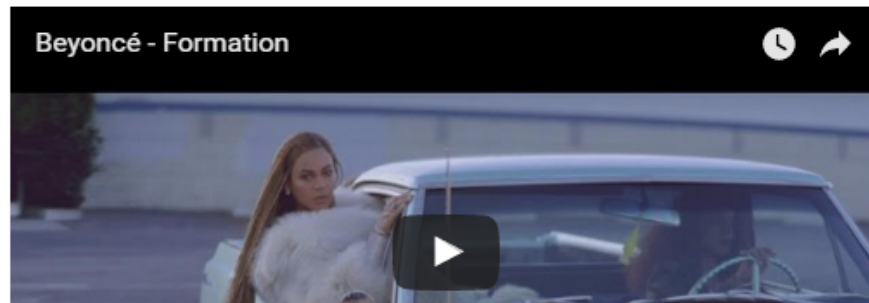
According to [The Advocate](#), Messy Mya's family was allegedly not consulted for permission to use Messy Mya's voice. Angel Barre, the YouTube personality's sister, is suing Beyonce for \$20 million. She is also requesting that her brother be listed "as a writer, composer, producer and performer," via the news report.

Generally social media shares may be considered fair use. However, there is always a fine line between fair use and for profit. With these clips also being linked to Messy Mya songs "Booking the Hoes from New Wildings" and "A 27 Piece Huh," the snippets may not be as simple as quotables from social media posts.

Recommended Reading: [“Imitated but not flattering: Online stores, social media hurting artists’ bank accounts”](#)

Keep in mind that the lawsuit is being brought by Angela Barre, the sister of Messy Mya. The first thing a court considers is if the party bringing the lawsuit has standing. According to [The Advocate](#), Messy Mya’s estate, which included the copyrighted works “Booking the Hoes from New Wildings” and “A 27 Piece Huh” went to his sister. As the legal owner of the copyrights, his sister has standing to assert a lawsuit against Beyonce. Angela Barre would not have standing to bring the lawsuit if Messy Mya were still alive.

So what should artists do in future (or potentially in the past if Beyonce did indeed take proper legal steps) to use clips from social media videos and/or songs? And how does one go about doing so if it’s unclear who the songs and/or sayings may legally belong to, specifically if the user has passed away?



Did you get permission?

When a work is copyrighted, permission needs to be obtained to use the work. The rights and permissions section of the copyright registration will state who should be contacted to get permission to use the work. In the case of Messy Mya, his copyright registration indicates that Rodney & Etter LLC should be contacted for rights and permission to use Messy Mya's videos.

The owner of the copyrighted work grants a license to use the song. The license typically stipulates the licensing fee in addition to what mediums the work can be used for (i.e., TV, film, musical composition, etc.) It's advantageous to negotiate a broad license that allows you to use the copyrighted work in multiple mediums.

If you want to sample a musical work, generally BMI or ASCAP can grant you a license to use the work if the artist is registered with that performing rights society.

Recommended Reading: [Fighting for their tunes: Artists take a firm stance on political affiliations](#)

Have more questions about copyrights, copyright infringement and licensing? Contact [J. Paye & Associates](#) today.

Shamontiel L. Vaughn contributed to this blog. Find out more about her at [Shamontiel.com](#).

The information contained here is intended to provide useful information on the topic covered but should not be construed as one-size-fits-all legal advice. Speak to an attorney specifically about your contractual agreement for specific terms and conditions.

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