

## Judge Finds For Xzibit DrDre

Written by Robert ID1049

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An aspiring Philadelphia songwriter faces a stiff penalty for filing a lawsuit in which he claimed that he created the beat for a track on west coast hip-hop/rap star Xzibit's platinum selling album "Restless."

A federal appeals court on Wednesday ruled that music business hopeful Michael Lowe's copyright infringement suit against Xzibit, several record companies and one of the song's credited authors, hip-hop /rap producer Dr. Dre; was frivolous.

The judges also upheld a lower-court's order that Lowe pay Dr. Dre's legal fees and court costs, which amounted to about \$35,000.

Lowe's attorney did not immediately return a phone call seeking comment on the ruling.

The 3rd U.S. Circuit Court of Appeals ruled that Lowe's legal claim was doomed from the start, even if it was true that he laid down the beats underpinning the song "X."

Lowe's story was that he recorded the beat first, then presented it to rap producer Scott Storch in the hopes that he would pass it along to Dr. Dre for use in song. In a legal deposition, Lowe said he never expected any compensation in return for the beat.

The court said that if Lowe indeed gave away the track freely, he couldn't sue over it now.

Storch consistently maintained that Lowe had nothing to do with the song.

"Restless" lists songwriting credits for "X" to Xzibit, whose real name is Alvin Joiner, Dr. Dre, whose real name is Andre Young, and Melvin Bradford, a rap writer who goes by the stage name Mel Man.

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