**17.4 Copyright—Subject Matter—Ideas and Expression**

**(17 U.S.C. § 102(b))**

Only the expression of an idea or fact can be copyrighted. The underlying ideas contained in the work, such as procedures, processes, systems, methods of operation, concepts, principles, or discoveries, or the underlying facts contained in the work, such as names and addresses in a telephone directory, cannot be copyrighted.

**Comment**

“No author may copyright his ideas or the facts he narrates.” *Harper & Row Publishers, Inc. v. Nat. Enters.*, 471 U.S. 539, 556 (1985). “Copyrights protect ‘expression’ but not the ‘ideas’ that lie behind it.”  *Google LLC v. Oracle Am., Inc.*,141 S. Ct. 1183, 1196 (2021); *see also* 17 U.S.C. § 102(b) (“In no case does copyright protect[] . . . any idea, procedure, process, system, method of operation, concept, principle, or discovery . . . described, explained, illustrated, or embodied in [the copyrighted] work.”).

Although “facts are not copyrightable[,] . . . compilations of facts generally are.” *Feist Publ’ns., Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 344 (1991).

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