



Fixation

Copyright
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Konomark
Most rights sharable

I whispered to you a secret – the lottery numbers I am mentally planning to pick when I buy a ticket tonight.

Is that copyrightable? (I.e.: Is it within copyright subject matter? Is it capable of being protected by copyright law? Can I prove the first element of an infringement case?)

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Is that copyrightable? (I.e.: Is it within copyright subject matter? Is it capable of being protected by copyright law? Can I prove the first element of an infringement case?)

No.

Why not?

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No.

Why not?

The easiest reason is that it's not fixed in a tangible medium of expression.

[Omitted from what was shown in class:
photo of candies arranged in a filled
rectangle on a hardwood floor with blank
white walls in the background.]