circular 34

United States Copyright Office

Copyright Protection Not Available for Names, Titles, or Short Phrases

NAMES, TITLES, AND SHORT PHRASES NOT PROTECTED BY COPYRIGHT

Names, titles, and short phrases or expressions are not subject to copyright protection. Even if a name, title, or short phrase is novel or distinctive or if it lends itself to a play on words, it cannot be protected by copyright. The Copyright Office cannot register claims to exclusive rights in brief combinations of words such as:

- Names of products or services
- Names of businesses, organizations, or groups (including the name of a group of performers)
- Names of pseudonyms of individuals (including pen name or stage name)
- Titles of works
- Catchwords, catchphrases, mottoes, slogans, or short advertising expressions
- Mere listings of ingredients, as in recipes, labels, or formulas. When a recipe or formula is accompanied by explanation or directions, the text directions may be copyrightable, but the recipe or formula itself remains uncopyrightable.

SUBJECT MATTER OF COPYRIGHT

Copyright protection under the copyright code (title 17, section 102, U.S. Code) extends only to "original works of authorship." The statute states clearly that ideas and concepts cannot be protected by copyright. To be protected by copyright, a work must contain at least a certain minimum amount of authorship in the form of original literary, musical, pictorial, or graphic expression. Names, titles, and other short phrases do not meet these requirements.

COPYRIGHT OFFICE RECORDS LISTED ALPHABETICALLY BY TITLE

The titles of registered works are filed alphabetically and appear in that order in the indexes and catalogs of the Copyright Office.

However, the presence of a title in the Copyright Office registration records does not mean that the title itself is copyrighted or subject to copyright protection. In many cases, our records show the same or closely similar titles for entirely different works.

Copyright Office files may be examined through LOCIS (Library of Congress Information System). Access to LOCIS requires Telnet support. If your online service provider supports Telnet, you can connect to LOCIS through the Copyright Office Website or directly by using Telnet.

www.loc.gov/copyright
Telnet: locis.loc.gov

If your online service provider does not support Telnet, address your concerns directly to the provider.

PROTECTION UNDER TRADEMARK OR UNFAIR COMPETITION LAWS

Some brand names, trade names, slogans, and phrases may be entitled to protection under the general rules of law relating to unfair competition, or they may be entitled to protection and registration under the provisions of state or federal trademark laws. The federal trademark statute covers trademarks and service marks—those words, phrases, symbols, or designs that identify the source of the goods or services of one party and distinguish them from those of others. The Copyright Office has no role in these matters.

For questions on trademarks or for information on registering a federal trademark, write to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or call the Patent and Trademark help line at (800) PTO-9199 or (703) 308-HELP (TTY: (703) 305-7785). For the Trademark Assistance Center, call (703) 308-9000. Internet information is available at *www.uspto.gov*

FOR FURTHER INFORMATION

To request Copyright Office circulars and application forms, write to:

Library of Congress
Copyright Office
Publications Section, LM-455
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

Or, if you know which forms and circulars you want, request them 24 hours a day from the Forms and Publications Hotline at (202) 707-9100. Leave a recorded message.

Selected circulars and other information (but not application forms) are available from Fax-on-Demand at (202) 707-2600.

Circulars, announcements, recent regulations, and copyright registration forms are available via the Copyright Office Website at www.loc.gov/copyright.

For general information about copyright, call the Copyright Public Information Office at (202) 707-3000. The TTY number is (202) 707-6737. Information specialists are on duty from 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day.



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www.loc.gov/copyright

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