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# ideas and expression — what really is free and what isn't?

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## UC Davis School of Law

Davis, CA

September 18, 2025

Elaine Kim is speaking on the panel, "Ideas and Expression — What Really Is Free and What Isn't?" at UC Davis School of Law on September 18th, 2025.

### *About the panel...*

Generally, ideas have been thought of as free, whereas original expression is the stuff of copyright. But at least in certain circumstances under California law, ideas aren't free. And we will increasingly encounter expressive works that are not protected by copyright because they were not authored by humans. Meanwhile, courts continue to grapple with the age-old idea/expression dichotomy, and whether and when they can decide that two works are not substantially similar as a matter of law, whether in protectable expression (in copyright infringement cases) or in idea (in idea submission cases). In this talk, Elaine Kim will share some observations about recent cases and trends in entertainment litigation over ideas and expression.

Panelists: **Elaine Kim, Partner, Mitchell Silberberg & Knupp LLP**

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## attorneys

Elaine K. Kim

## practice areas

entertainment & ip litigation  
intellectual property