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Does copyright ever protect the nonliteral elements of computer code? An analysis of the First Circuit's approach to this question in the Lotus case, where the court analogized computer code to uncopyrightable modes of operation, yields a tentative “No” (with an exception for artistic computer screen images). An equally divided Supreme Court affirmed Lotus per curiam. While this interpretation of Lotus may well result in the appropriate treatment of computer code, nonetheless the Court should clarify its reasoning and articulate clearly the scope of copyright protection in code.