

Copyright & Fair Use

Checklist for Fair Use

Fair Use More Likely

Fair Use Less Likely

Purpose

- | | | | |
|--------------------------|---|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Teaching (including multiple copies for classroom use) | <input type="checkbox"/> | Commercial Activity |
| <input type="checkbox"/> | Research | <input type="checkbox"/> | Profiting from Use |
| <input type="checkbox"/> | Scholarship | <input type="checkbox"/> | Entertainment |
| <input type="checkbox"/> | Nonprofit Educational Institution | <input type="checkbox"/> | Bad-faith Behavior |
| <input type="checkbox"/> | Criticism & Comment | <input type="checkbox"/> | Denying Credit to Original Author |
| <input type="checkbox"/> | News Reporting | | |
| <input type="checkbox"/> | Transformative or Productive Use (changes the work for new utility) | | |
| <input type="checkbox"/> | Restricted Access (to students or other appropriate group) | | |
| <input type="checkbox"/> | Parody | | |

Nature

- | | | | |
|--------------------------|---|--------------------------|----------------------|
| <input type="checkbox"/> | Published Word | <input type="checkbox"/> | Unpublished Work |
| <input type="checkbox"/> | Factual or Nonfiction Based | <input type="checkbox"/> | Highly Creative Work |
| <input type="checkbox"/> | Important to Favored Educational Objectives | <input type="checkbox"/> | Fiction |

Amount

- | | | | |
|--------------------------|---|--------------------------|--|
| <input type="checkbox"/> | Small Quantity | <input type="checkbox"/> | Large Portion or Whole Work |
| <input type="checkbox"/> | Portion Used is Not Central to Entire Work | <input type="checkbox"/> | Portion Used is Central to Work or "Heart of the Work" |
| <input type="checkbox"/> | Amount is Appropriate for Favored Educational Purpose | | |

Effect

- | | | | |
|--------------------------|--|--------------------------|---|
| <input type="checkbox"/> | User Owns Lawfully Acquired or Purchased Copy of the Original Work | <input type="checkbox"/> | Reduces Likelihood of Purchase of the Work |
| <input type="checkbox"/> | One or Few Copies Made | <input type="checkbox"/> | Significantly Impairs Market Or Potential Market for Copyrighted Work or Derivative |
| <input type="checkbox"/> | No Significant Effect on the Market or Potential Market for Copyrighted Work | <input type="checkbox"/> | Reasonably Available Licensing Mechanism Exists |
| <input type="checkbox"/> | No Similar Product Marketed by the Copyright Holder | <input type="checkbox"/> | Affordable Permission Available for Using Work |
| <input type="checkbox"/> | Lack of Licensing Mechanism | <input type="checkbox"/> | Numerous Copies Made |
| | | <input type="checkbox"/> | You Made it Available on the Web or in other Public Forum |
| | | <input type="checkbox"/> | Repeated or Long Term Use |