

## Checklist for Fair Use

Title:

Article ☐ Book Chapter ☐ Film ☐

Justification:

### Purpose

#### *Favoring Fair Use*

- ☐ Teaching (including multiple copies for classroom use)
- ☐ Research
- ☐ Scholarship
- ☐ Nonprofit Educational Institution
- ☐ Restricted Access (to students or other appropriate group)

#### *Opposing Fair Use*

- ☐ Commercial Activity
- ☐ Profiting from the Use
- ☐ Entertainment
- ☐ Bad-faith Behavior
- ☐ Denying Credit to Original Author

### Nature

#### *Favoring Fair Use*

- ☐ Published Work
- ☐ Factual or Non-Fiction Based
- ☐ Important to Favored Educational Objectives

#### *Opposing Fair Use*

- ☐ Unpublished Work
- ☐ Highly Creative Work (art, music, novels, films, plays)
- ☐ Fiction

### Amount

#### *Favoring Fair use*

- ☐ Small Quantity
- ☐ Portion used is not central or significant to entire work
- ☐ Amount is appropriate for favored educational purpose

#### *Opposing Fair Use*

- ☐ Large portion or whole work used
- ☐ Portion used is central to work or "heart of the work"

### Effect

#### *Favoring Fair Use*

- ☐ User owns lawfully acquired or purchased copy of original work
- ☐ One or few copies made
- ☐ No significant effect on the market or potential market for copyrighted work
- ☐ No similar product marketed by the copyright holder
- ☐ Lack of licensing mechanism

#### *Opposing Fair Use*

- ☐ Could replace sale of copyrighted work
- ☐ Significantly impairs market or potential market for copyrighted work or derivative
- ☐ Reasonably available licensing mechanism for use of the copyrighted work
- ☐ Affordable permission available for using work
- ☐ Numerous copies made
- ☐ You made it accessible on Web or in other public forum