

Title of Book/Source _____

Author/Editor _____

Pages Used/Chapter Title _____

Publisher _____ Publication Year _____

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Favors Fair Use

Weights Against Fair Use

Purpose

- Instruction, course websites (access restricted)
- Scholarly research, personal use, study
- Student use to complete assignment
- Transformative use, creates a new work/new purpose
- Statutory uses, criticism, comment, news reporting

- Commercial Activity
- No attribution to original authors
- Profiting from use
- For publication
- For public distribution

Nature

- Published Work
- Factual Work
- Non-fiction

- Unpublished Work
- Creative, imaginative, artistic work
- Consumable work (like a workbook)

Amount

- Small excerpt, extract, or clip
- Only portion needed for favored education purpose

- Entire work
- Portion used is "heart of work"

Market Effect

- One or few copies made
- Use stimulates market for original work
- No impact on market for original work
- No licensing mechanism in place

- Impairs market for original work
- Repeated use, when market exists for work
- Licensing mechanism for use is available
- Multiple copies, not for educational purpose

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Name _____

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