Name: __________________________________________
Institution: _________________________________________
Project: _____________________________________________
Date: _________________________________________________
Prepared by: __________________________________________

Purpose

Favoring Fair Use
□ Teaching (including multiple copies for classroom use)
□ Research
□ Scholarship
□ Nonprofit educational institution
□ Criticism
□ Comment
□ News reporting
□ Transformative or productive use (changes the work for new utility)
□ Restricted access (to students or other appropriate group)
□ Parody

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 nonfiction 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- Unpublished work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 or “heart of the work”

Effect

**Favoring Fair Use**
- User owns lawfully purchased or acquired 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 the Web or in other public forum
- Repeated or long-term use

*Most recent revision: 051408*