

## Fair Use Checklist for Course Reserve

Check the boxes relevant to your intended use of copyrighted materials, evaluate the balance, and reach a conclusion.

A copy of this checklist must be turned in with each request to place materials on course reserve. In addition, you should retain a copy of this checklist for your files.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Dept.: \_\_\_\_\_ Course: \_\_\_\_\_

Please attach a list citing the works to be placed on reserve using a claim of fair use.

### PURPOSE

#### *Favoring Fair Use*

- Teaching
- Research
- Scholarship
- Criticism
- Comment
- News Reporting
- Nonprofit Educational Use
- Transformative or Productive Use

#### *Opposing Fair Use*

- Commercial Activity
- Profit from Use
- Bad-faith Behavior

### NATURE

#### *Favoring Fair Use*

- Factual or Nonfiction
- Published Work
- Not Usually Available to User

#### *Opposing Fair Use*

- Fiction
- Highly Creative Work
- Unpublished Work
- Easily Available to User

### AMOUNT

#### *Favoring Fair Use*

- Portion Used Not Central to Work
- Small Quantity

#### *Opposing Fair Use*

- Portion Used Is Central to Work
- Substantial Portion or All of the Work

### EFFECT

#### *Favoring Fair Use*

- No Significant Effect on Market
- Lack of Licensing Mechanism
- University or professor owns a legally acquired copy of the work

#### *Opposing Fair Use*

- Repeated Use of the Work
- Significantly Impairs Market for Work
- Replaces Sale of the Copyrighted Work
- Available Licensing Mechanism

### CONCLUSION

- Fair use applies
- Fair use does not apply

Please sign here: \_\_\_\_\_