# Fair Use Checklist

Adapted from Columbia University Libraries

**Name:**

**Information to be used:**

**Class:**

**Date:**

1. **Purpose**

|  |  |
| --- | --- |
| **Favoring Fair Use**  |  **Opposing Fair Use**  |
|  Teaching (including multiple copies for classroom) Research & Scholarship Nonprofit educational Institution  Criticism & Comment News reporting Transformative or Parody Restricted access |  Commercial activity Profiting from the use Entertainment Bad-faith behavior Denying credit to original author |

## Nature

|  |  |
| --- | --- |
| **Favoring Fair Use**  |  **Opposing Fair Use**  |
|  Published work Factual or nonfiction based Supports educational objectives |  Unpublished work Highly Creative work (art, music, novels, films…) Fiction |

1. **Amount**

|  |  |
| --- | --- |
| **Favoring Fair Use**  |  **Opposing Fair Use**  |
|  Small quantity Portion used is not central or significant to the entire work Amount is appropriate for educational purpose |  Large portion or whole work used Portion used in central to or “heart of the work” |

**4 Effect**

|  |  |
| --- | --- |
| **Favoring Fair Use**  |  **Opposing 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 |  Could replace sale of copyrighted work Significantly impacts market or potential market Reasonably available licensing mechanism Affordable permission available Numerous copies made Made it accessible publicly Repeated or long-term use |

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