# 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| Published work  Factual or nonfiction based  Supports educational objectives | Unpublished work  Highly Creative work (art, music, novels, films…)  Fiction |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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