

Fair Use Checklist

For Fair Use	Opposing Fair Use
<p>Purpose</p> <ul style="list-style-type: none"><input type="radio"/> Teaching<input type="radio"/> Research<input type="radio"/> Scholarship<input type="radio"/> Nonprofit Educational Institution<input type="radio"/> Criticism<input type="radio"/> Comment<input type="radio"/> News reporting<input type="radio"/> Transformative or Productive use (changes the work for new utility)<input type="radio"/> Restricted access to students or other appropriate group)<input type="radio"/> Parody	<ul style="list-style-type: none"><input type="radio"/> Commercial activity<input type="radio"/> Profiting from the use<input type="radio"/> Entertainment<input type="radio"/> Bad-faith behavior<input type="radio"/> Denying credit to original author
<p>Nature</p> <ul style="list-style-type: none"><input type="radio"/> Published work<input type="radio"/> Factual or nonfiction based<input type="radio"/> Important to favored educational objectives	<ul style="list-style-type: none"><input type="radio"/> Unpublished work<input type="radio"/> Highly creative work (art, novels, etc.)<input type="radio"/> Fiction
<p>Amount</p> <ul style="list-style-type: none"><input type="radio"/> Small quantity<input type="radio"/> Portion used is not central or significant to the entire work<input type="radio"/> Amount is appropriate for favored educational purpose	<ul style="list-style-type: none"><input type="radio"/> Large portion or whole work used<input type="radio"/> Portion used is central to work
<p>Effect</p> <ul style="list-style-type: none"><input type="radio"/> User owns lawfully acquired copy of original work<input type="radio"/> One or few copies made<input type="radio"/> No significant effect on the market or potential market for the work<input type="radio"/> No similar product marketed by the copyright holder<input type="radio"/> Lack of licensing mechanism	<ul style="list-style-type: none"><input type="radio"/> Could replace sale of work<input type="radio"/> Significantly impairs market for work<input type="radio"/> Reasonably available licensing<input type="radio"/> Affordable permission available<input type="radio"/> Numerous copies made<input type="radio"/> You make it publicly accessible<input type="radio"/> Repeated or long term use