# Checklist for Fair Use

Please complete and retain a copy of this form with each possible “fair use” of a copyrighted work for your project.

Name: __________________________ Date: ___________________ Project: __________________________

Item Description: __________________________________________________________

Institution: __________________________ Prepared by: __________________

## PURPOSE

**Favoring Fair Use**

- Teaching (including multiple copies for classroom use)
- Research
- Scholarship
- Nonprofit Educational Institution
- Criticism
- Comment
- News reporting
- Transformative of Productive use (changes the work for new utility)
- Restricted access (to students or other appropriate group)
- Parody

**Opposing Fair Use**

- Unpublished work
- Highly creative work (art, music, novels, films, plays)
- Fiction

## NATURE

**Favoring Fair Use**

- Published work
- Factual or nonfiction based
- Important to favored education objectives

**Opposing Fair Use**

- Unpublished work
- Highly creative work (art, music, novels, films, plays)

## 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 in central to work or “heart of the work”

## NATURE

**Favoring Fair Use**

- User owns lawfully acquired or purchased copy of original work
- One or few copies made
- No significant effect on the market or potential market for copyrighted work
- 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 Web or in other public forum
- Repeated or long-term use

---

This document is provide by University Libraries, Dwayne K. Buttler, Endowed Chair for Scholarly Communication, University of Louisville. It is based upon a work created by D. Buttler & Prof. K. D. Crews at the Copyright Management Center, IUPUI. Version UL 2/23/05.