Name: ________________________________________________________________________
Institution: _____________________________________________________________________
Project: ________________________________________________________________________
Date: __________________________________________________________________________
Prepared by: ____________________________________________________________________

**Purpose**

**Favoring Fair Use**

- [ ] Teaching (including multiple copies for classroom use)
- [ ] Research
- [ ] Scholarship
- [ ] Nonprofit educational institution
- [ ] Criticism
- [ ] Comment
- [ ] News reporting
- [ ] Transformative or productive use (changes the work for new utility)
- [ ] Restricted access (to students or other appropriate group)
- [ ] Parody

**Opposing Fair Use**

- [ ] Commercial activity
- [ ] Profiting from the use
- [ ] Entertainment
- [ ] Bad-faith behavior
- [ ] Denying credit to original author
Nature

Favoring Fair Use
- □ Published work
- □ Factual or nonfiction based
- □ Important to favored educational objectives

Opposing Fair Use
- □ Unpublished work
- □ Highly creative work (art, music, novels, films, plays)
- □ Fiction

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 is central to or “heart of the work”

Effect

Favoring 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

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 the Web or in other public forum
- □ Repeated or long-term use