# Checklist for Fair Use

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

<table>
<thead>
<tr>
<th>Name:</th>
<th>Date:</th>
<th>Project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institution:</td>
<td>Prepared by:</td>
<td></td>
</tr>
</tbody>
</table>

## Purpose

- 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- Unpublished work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 work or "heart of the work"

## Effect

### 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
- 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 Web or in other public forum
- Repeated or long-term use

---

This document is provided as a courtesy of the Copyright Management Center, IUPUI, 530 W. New York St., Indianapolis, IN 46202. For further information and updates please visit [http://www.copyright.iupui.edu/](http://www.copyright.iupui.edu/). This document last updated March 10, 2003.