**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*

Name: ___________________ Date: ___________ Project: ___________________

Institution: ___________________ 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 (for 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- Unpublished work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.