

YAVAPAI COLLEGE EDUCATIONAL FAIR USE ANALYSIS FORM

Please sign and retain a copy of this form in connection with each possible fair use of copyrighted works.

Material referenced: _____

By signing, you acknowledge that you believe your use of media complies with U.S. Copyright law.

Print Name: _____ Date: _____ Course: _____

Signature: _____

Favoring Fair Use

PURPOSE

Opposing Fair Use

- Teaching at nonprofit educational institution
- Transformative use (changes the work for new utility)
- Research
- Scholarship
- Criticism
- Comment
- News reporting
- Parody

- Commercial activity
- Profiting from the use
- Entertainment
- Denying credit to original author

NATURE

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

- Unpublished work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

AMOUNT

- Small quantity
- Portion used is not central or significant to entire work or the “heart of the work”
- Amount is appropriate for favored educational purpose

- Large portion or whole work used
- Portion used is central to work

EFFECT

- 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
- Access to material is restricted to certain group
- Access to material is restricted by date

- 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
- Made accessible on Internet or in other public forum
- Material is already available in digital format (in cases of need for conversion)

NOTES Attach additional notes as needed