

# Fair Use Checklist

(please complete and retain a copy of this form for each possible “fair use” of copyrighted use for your project)

Your Name \_\_\_\_\_

Date \_\_\_\_\_

School \_\_\_\_\_

Project \_\_\_\_\_

Think P.A.N.E. !!

## Purpose

### Supporting Fair Use

### Opposing Fair Use

<input type="checkbox"/> Teaching (including multiple copies for classroom use)	<input type="checkbox"/> Commercial activity
<input type="checkbox"/> Research	<input type="checkbox"/> Profiting from the use
<input type="checkbox"/> Scholarship	<input type="checkbox"/> Entertainment
<input type="checkbox"/> Nonprofit Educational Institution	<input type="checkbox"/> Bad-faith
<input type="checkbox"/> Criticism	<input type="checkbox"/> Not crediting original author
<input type="checkbox"/> Comment	
<input type="checkbox"/> News reporting	
<input type="checkbox"/> Transformative (changes the work for a new use)	
<input type="checkbox"/> Restricted access (to students only)	
<input type="checkbox"/> Parody	

## Amount

### Supporting Fair Use

### Opposing Fair Use

<input type="checkbox"/> Small quantity	<input type="checkbox"/> Large portion or whole work
<input type="checkbox"/> Amount used is NOT central or significant to entire work	<input type="checkbox"/> Portion used is central to work or “heart of the work”
<input type="checkbox"/> Amount is appropriate for educational use	

## Nature

### Supporting Fair Use

### Opposing Fair Use

<input type="checkbox"/> Published work	<input type="checkbox"/> Unpublished work
<input type="checkbox"/> Factual or nonfiction	<input type="checkbox"/> Fiction
<input type="checkbox"/> Important to favored educational objectives	<input type="checkbox"/> Highly creative work

## Effect

### Supporting Fair Use

### Opposing Fair Use

<input type="checkbox"/> User owns lawfully acquired or purchased copy of original work	<input type="checkbox"/> Use could replace sale of work
<input type="checkbox"/> One or few copies made	<input type="checkbox"/> Significantly impairs market or potential market
<input type="checkbox"/> No significant effect on the market or potential market of copyrighted work	<input type="checkbox"/> Available mechanism for acquiring affordable permission
<input type="checkbox"/> No similar product being sold by holder of copyright	<input type="checkbox"/> Numerous copies made
	<input type="checkbox"/> You put it up on Web or other forum
	<input type="checkbox"/> Repeated or long term use