



COPYRIGHT CHECKLIST

Please complete this checklist and keep a copy for your records when using other people's copyrighted materials in your programs. Assume all materials are copyrighted unless they are from the U.S. federal government or if they are in the public domain. This checklist for fair use is based on an original document developed by the Copyright Management Center at Indiana University Purdue University Indianapolis, and is available at <http://www.copyright.iupui.edu>.

Citation/name of work under consideration:

Program/Project:

Date:

Prepared by:

Program area/Unit:

PURPOSE

Favoring Fair Use

Opposing Fair Use

- | | |
|--|--|
| <input type="checkbox"/> Teaching (including multiple copies for program 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 behavior |
| <input type="checkbox"/> Criticism | <input type="checkbox"/> Denying credit to original author |
| <input type="checkbox"/> Comment | |
| <input type="checkbox"/> News reporting | |
| <input type="checkbox"/> Transformative or Productive use (changes the work for new utility) | |
| <input type="checkbox"/> Restricted access (to students or other appropriate group) | |
| <input type="checkbox"/> Parody | |

NATURE

Favoring Fair Use

Opposing Fair Use

- | | |
|--|--|
| <input type="checkbox"/> Published work | <input type="checkbox"/> Unpublished work |
| <input type="checkbox"/> Factual or nonfiction based | <input type="checkbox"/> Highly creative work (art, music, novels, films, plays) |
| <input type="checkbox"/> Important to favored educational objectives | <input type="checkbox"/> Fiction |

AMOUNT

Favoring Fair Use

Opposing Fair Use

- | | |
|--|---|
| <input type="checkbox"/> Small quantity | <input type="checkbox"/> Large portion or whole work used |
| <input type="checkbox"/> Portion 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 to meet educational objectives of program | |

EFFECT

Favoring Fair Use

Opposing Fair Use

- | | |
|---|---|
| <input type="checkbox"/> User owns lawfully acquired or purchased copy of original work | <input type="checkbox"/> Could replace sale of copyrighted work |
| <input type="checkbox"/> One or few copies made | <input type="checkbox"/> Significantly impairs market or potential market for copyrighted work or derivative |
| <input type="checkbox"/> No significant effect on the market or potential market for copyrighted work | <input type="checkbox"/> Reasonably available licensing mechanism for use of the copyrighted work |
| <input type="checkbox"/> No similar product marketed by the copyright holder | <input type="checkbox"/> Affordable permission available for using work |
| <input type="checkbox"/> Lack of licensing mechanism | <input type="checkbox"/> Numerous copies made |
| | <input type="checkbox"/> You made it accessible on Web or in other public forum (no restriction to enrolled participants) |
| | <input type="checkbox"/> Repeated or long term use |