

Student Name: _____ Period: _____ Date: _____

FAIR USE CRITERIA RATING SHEET

1.		The purpose and character of use of the original copyrighted work		
a.	<input type="radio"/> Yes <input type="radio"/> No	Will the copyrighted material be used for commercial purposes?		
b.	<input type="radio"/> Yes <input type="radio"/> No	Will the copyrighted material be used for educational or nonprofit purposes?		
c.	<input type="radio"/> Yes <input type="radio"/> No	Is the use of the copyrighted material intended for criticism, comment, scholarship, research, news reporting, or teaching?		
d.	<input type="radio"/> Yes <input type="radio"/> No	If use of the copyrighted material alters its original intent does the new material add to the meaning of the original?		
2.		Nature of the copyrighted work		
a.	<input type="radio"/> Yes <input type="radio"/> No	If the material is of an informational or factual nature, such as a description of the flight patterns of migrating birds, does it take knowledge that is considered public domain or of an historical or factual nature and attempt to copyright it as original work?		
b.	<input type="radio"/> Yes <input type="radio"/> No	If the information is of a creative nature, such as an original song or a fiction novel, is it used in an amount that is within the legal confines of the Fair Use Section of the Copyright Law?		
3.		Amount of copyright work that will be used		
a.	<input type="radio"/> Yes <input type="radio"/> No	Is the heart of the original copyrighted material used, such as the most profound statements in a book or the major thrust of a movie?		
b.	Pictures			
	<input type="radio"/> Yes <input type="radio"/> No	No more than 5 or 10% of images from a single artist		
	<input type="radio"/> Yes <input type="radio"/> No	No more than 15 images from a collection		
	<input type="radio"/> Yes <input type="radio"/> No	Used in its entirety		
c.	Multimedia			
	<input type="radio"/> Yes <input type="radio"/> No	Text – up to 10% or 1000 words, whichever is less		
	<input type="radio"/> Yes <input type="radio"/> No	Video – 10% of motion media or 3 minutes, whichever is less		
	<input type="radio"/> Yes <input type="radio"/> No	Music = 10% but no more than 30 seconds		
4.		The effect of the use of the material upon its potential market or value of the copyrighted work		
a.	<input type="radio"/> Yes <input type="radio"/> No	Does the new material make the copyrighted material obsolete by negatively affecting sales?		
Overall Judgment: Based on these findings, this material meets the conditions of the Fair Use Section of the Copyright Law.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 50%; text-align: center;">Yes</td> <td style="width: 50%; text-align: center;">No</td> </tr> </tbody> </table>	Yes	No
Yes	No			