Document the Fair Use Reasoning Process

Name: __________________________________________________________
Project Title: ____________________________________________________

When developing a project, answer the following questions:

1. What is the purpose of your project? _______________________________
   __________________________________________________________________

2. Who is the target audience? _______________________________________

3. I am using (describe copyrighted material here) ______________________
   __________________________________________________________________
   because (provide a reason here) _______________________________________
   __________________________________________________________________

4. Does your use of the work “transform” the material taken from the copyrighted work by using it for a different purpose than that of the original? (“Yes” leans in favor of fair use; “no” leans against fair use.)

   Explain why your work does not just repeat the intent and value of the original source material. (Example: The original poster was used to promote patriotism in the U.S. during World War I. I’m using the poster to illustrate visual design principles.)
   __________________________________________________________________
   __________________________________________________________________
   __________________________________________________________________
5. Did you use only the amount you needed to accomplish your purpose? ("Yes" leans in favor of fair use; "no" leans against fair use.)

Explain why you used the portion you did. (Example: I needed to use the entire poster to illustrate the design principles, but I used a reduced version of the poster in my work.)

________________________________________________________________
________________________________________________________________
________________________________________________________________

Provide a citation for the material you are using:

________________________________________________________________
________________________________________________________________
________________________________________________________________

If you answered, “yes” to both #4 and #5, your use is probably a fair one. If you answered “no” to one or both #4 and #5, you might want to consider using another work that’s either in the public domain or has a Creative Commons license. You can also contact the copyright owner for permission.

Complete these questions for each of the copyrighted resource materials used in the project.

Questions? Contact Sue Kunda, Digital Scholarship Librarian sue.kunda@oregonstate.edu; 541-737-7262