



J. Willard Marriott Library

THE UNIVERSITY OF UTAH

Fair Use, Libraries, and Library Patrons

Hey, you in the back row. I can see you.
Wake up.



Fair Use Basics

- Yes, it really is enshrined in the law
 - 17 U.S. Code § 107 - Limitations on exclusive rights: Fair use

- Approved purposes **include**:
 - Criticism
 - Comment
 - News reporting
 - Teaching (including multiple copies for classroom use)
 - Scholarship
 - Research



Fair Use Basics

- The (Infamous) Fourfold Test:
 - Purpose and character of use
 - Nature of the work
 - Amount/substantiality
 - Effect on the market

- (Transformativity)



Essential things to remember

- The law (not the copyright holder) defines your rights, including fair use
- No single test is a trump card
- Fair use is a risk assessment



Right, But How Do I Do It?

Handy online tools:

<https://www.lib.umn.edu/copyright/fairthoughts>

<http://librarycopyright.net/resources/fairuse/index.php>

<https://bit.ly/2puy1hm>

Helping Patrons

- **Don't take responsibility** for their use of copyrighted material. At the same time...
- ... **don't take a neutral stance** on obeying the law. At the same time...
- ... do recognize that **their choices** are ultimately their own.



Thanks!

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