



Potential Market and Value

Whether, and to what extent, the unlicensed use harms the existing or future market for the copyright owner's original work.

MORE FAIR

The use does not impact the current or future market or value of the original work.

LESS FAIR

The use hurts the current market or value for the original work (e.g., using a few chapters of a textbook displaces sales of the book).



Nature

The degree to which the work used relates to copyright's purpose of encouraging creative expression.

MORE FAIR

Using a factual work (such as a technical article or news item).

LESS FAIR

Using a more creative or imaginative work (such as a novel, movie, or song) or using an unpublished work.

Fair Use Four Factors

Questions?
Contact UVU Legal Counsel

www.uvu.edu/ogc/
ogc@uvu.edu
(801) 863-5630



Purpose And Character Of Use

Transformative use adds new purpose, new meaning, or new message that was not present in the original.

MORE FAIR

Educational, non-commercial, or transformative use that differs from the work's original purpose.

LESS FAIR

Replacing the original use or purpose of the work.



Amount and Substantiality

The quantity and quality of the copyrighted material used.

MORE FAIR

Using only a small amount of copyrighted material.

LESS FAIR

Using a large portion of the copyrighted work (e.g., a full chapter or several chapters of a book); using the "heart" of the work.



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