



## 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Using a more creative or imaginative work (such as a novel, movie, or song) or using an unpublished work.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/](http://www.uvu.edu/ogc/)  
[ogc@uvu.edu](mailto: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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