

## Four Factors of Fair Use- Video

<b>Fair Use Factors</b>	<b>Weighing in Favor of Fair Use</b>	<b>Weighing Against Fair Use</b>
1. Purpose and character of the use:	<ul style="list-style-type: none"> <li>-- Non-profit, educational purpose</li> <li>-- Use is transformative in nature (work is used in connection with criticism, commentary and discussion)</li> </ul>	<ul style="list-style-type: none"> <li>-- Commercial use</li> <li>-- Use is not connected to the class</li> <li>-- Use is not transformative in nature (work is used for its intended purpose, or no discussion, commentary or criticism applies)</li> </ul>
2. Nature of the copyrighted work	<ul style="list-style-type: none"> <li>-- Television show is factual in nature</li> </ul>	<ul style="list-style-type: none"> <li>-- Show is creative, fictional</li> </ul>
3. Amount of copyrighted work used	<ul style="list-style-type: none"> <li>- Small amount taken in relation to the entire show</li> <li>-- Amount used is necessary for the class</li> </ul>	<ul style="list-style-type: none"> <li>-- More taken than necessary for use in class</li> <li>-- “Heart” of the work is taken</li> </ul>
4. Effect on the market or value of the copyrighted work	<ul style="list-style-type: none"> <li>-- Television show is posted in streaming media or another format that cannot be copied and distributed.</li> <li>-- Copyright owner has not made a license available and has no permission process in place.</li> </ul>	<ul style="list-style-type: none"> <li>-- Image is in format that can be copied and distributed.</li> <li>-- Accessible licensing program is in place.</li> </ul>