Guidelines for "Fair Use"

Print

Chapter in a book

Fair use (permission not required)

- Single copy used by an instructor for research, teaching or class preparation
- Multiple copies (one per student per class) if the chapter is brief, spontaneously copied and in compliance with the cumulative effect test (see below)
- Copyright notice and attribution included

Newspaper/magazine article

Fair use (permission not required)

- A complete work of less than 2,500 words
- For longer articles, excerpts of up to 1,000 words or 10 percent of the work, whichever is less (a minimum of 500 words)
- Articles covered in the previous two bullets may be expanded (e.g., the number of words increased) to permit the completion of an unfinished prose paragraph)
- Copyright notice and attribution included

Poems

Fair use (permission not required)

- Copies of the entire poem if it is less than 250 words and printed on no more than two pages
- 250 words of a longer poem
- Articles covered in the previous two bullets may be expanded (e.g., the number of words increased) to permit the completion of an unfinished line of a poem)
- 5 poems by different poets from a collection
- 3 poems (or excerpts) per poet from the same collective work or periodical volume
- Copyright notice and attribution included
- A notation if alterations are made

Infringing Use - Not "Fair Use"

- Multiple copies used semester after semester without permission
- Multiple copies that create an anthology
- Multiple copies intended to avoid the purchase of a textbook or other materials
- Using an unlawfully acquired copy as the original

Photographs, illustrations and graphic images (including charts, diagrams, graphs, drawings, cartoons and Web images)

Fair use (permission not required)

- Copying a photo, illustration or image in its entirety, but no more than five images from one artist

- Using images from a published collective work, but no more than 15 images or 10 percent of the work, whichever is less
- Copyright notice and attribution included
- A notation if alterations are made

Infringing Use - Not "Fair Use"
- Making and distributing multiple copies
- Making copies to avoid purchase
- Incorporating or altering the image as an embellishment or decoration for artistic purposes that aren't temporary
- Using an unlawfully acquired copy as the original

Video or animation
Fair use (permission not required)
- Copying up to 3 minutes or 10 percent of the work, whichever is less
- Copyright notice and attribution included
- A notation if alterations are made
- Copied spontaneously

Infringing Use - Not "Fair Use"
- Making and distributing multiple copies
- Distributing multiple copies semester after semester
- Making copies to avoid purchase
- Incorporating or altering the image as an embellishment or decoration for artistic purposes that aren't temporary
- Using an unlawfully acquired copy as the original

Music and lyrics (including sheet music, songs, lyrics, musical scores or recordings)
Fair use (permission not required)
- Copy up to 10 percent in print, sound or multimedia form, but no more than 30 seconds of an individual work
- Copyright notice and attribution included
- A notation if alterations are made

Infringing Use - Not "Fair Use"
- Making and distributing multiple copies
- Distributing multiple copies semester after semester
- Making copies to avoid purchase
- Using an unlawfully acquired copy as the original
- Changing the basic melody or fundamental character of the piece

Broadcast program

Fair use (permission not required)

- Single copy of off-air simultaneous broadcast used within a period not to exceed the first 45 consecutive calendar days after the recording date
- Copyright notice and attribution included
- No alterations
- Used only by individual instructors

Infringing Use - Not "Fair Use"

- Making and distributing multiple copies
- Distributing multiple copies semester after semester
- Making copies to avoid purchase
- Using an unlawfully acquired copy as the original

Numerical data sets

Fair use (permission not required)

- Copying up to 10 percent or 2,500 fields or cell entries, whichever is less
- Copyright notice and attribution included
- Noting if alterations were made (alterations must support an instructional objective)

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- Making and distributing multiple copies
- Distributing multiple copies semester after semester
- Using an unlawfully acquired copy as the original