

# Fair Use in 2 Mins

Hi, NYU! Welcome to Fair Use in 2 minutes. I'm April Hathcock, the NYU Scholarly Communication Librarian. Before we begin, just a quick note that this presentation is meant for educational, informative purposes only and should not be considered legal advice.

Now some basics about fair use. Fair use is an exception to copyright that allows the use of material for research, teaching, and commentary without the need to obtain copyright permissions. It's a legal right that can work great for a lot of the work we do here at NYU. You can find more information on our Fair Use Guide at [guides.nyu.edu/fairuse](https://guides.nyu.edu/fairuse).

To determine if a use is a fair use, we look at four main factors and weigh all the circumstances surrounding our use. Factor 1 is the purpose of the use. If your use is for teaching, research, or criticism as opposed to entertainment, then it is more likely to be a fair use. Factor 2 is the nature of the material. If the material is instructional or nonfictional as opposed to highly creative, then it is more likely to be a fair use. Though this doesn't mean we can't make a fair use of creative works. Remember, we have to look at all the factors. Factor 3 is the amount and substantiality of the use. Generally, if you use excerpts as opposed to entire works, or post on password-protected sites, such as NYU Classes, as opposed to on the open web, then it's likely a fair use. And finally factor 4 is the potential market effect of the use. Generally, materials that are not specifically marketed for an educational license, unlike textbooks and worksheets, are more likely to lead to a fair use.

So, what does this mean? Some common likely fair uses include posting a PDF of a journal article in NYU Classes, posting a PDF of a couple of book chapters in NYU Classes, or posting a clip of a video in NYU Classes or NYU Stream. Less likely to be a fair use would be posting a PDF of a journal article on the open web, posting an entire book on the open web, or posting an entire film on the open web.

That's fair use in a nutshell. For additional questions, please consult our research guide at [guides.nyu.edu/fairuse](https://guides.nyu.edu/fairuse). Or email your helpful library staff at the Fair Use listserv, [fairuse@nyu.edu](mailto:fairuse@nyu.edu).

Happy fair using!