

Fair and Square

NAME _____

DATE _____

Directions: Part 1

Match the vocabulary word to the correct definition by drawing a line or writing the correct letter.

Vocabulary Words

A. Copyright

B. Public domain

C. Fair use

Definitions

A

Legal protection that creators have over the things they create

C

The ability to use copyrighted work without permission, but only in certain ways and specific situations

B

Creative work that's not copyrighted and free to use without permission

Directions: Part 2

Fill in the blanks for the Four Factors of Fair Use as your teacher reads them aloud.

... the purpose of the new work
is educational or the original
work is transformed into
something very different.

... the amount used is
only a small portion of
the original work or
does not include the
"heart" of the work.

Common examples:

Schoolwork and education

Criticizing or commenting

News reporting

Comedy

... the nature of the
original work is
nonfiction or based on
fact (rather than creative
or fictional).

... the effect of the new work does
not include any negative impact
on the creator or the value of the
original work think (\$!).



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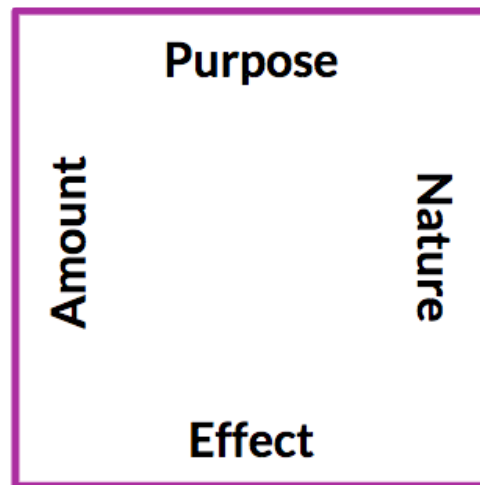
DATE _____

Directions: Part 3

Use the graphic to analyze whether or not DJ Earworm's "Turnin' It Up" mash-up falls under fair use.

He relies on certain samples over and over, which define the song's composition, but he's turned them into a completely new song. Even though he's not selling the song, it's made him popular. Plus, he gets paid to DJ.

He just uses a small amount of each song. But he relies on certain samples over and over for the song's composition.



He uses creative work rather than nonfiction. So that makes it a less likely candidate for fair use.

He's giving the artists increased exposure, which might lead to them making more money. However, he doesn't credit them at the end.

Final decision: Does this mash-up qualify as fair use? Why, or why not?

Answers will vary. As a form of collage, it likely qualifies for fair use. Also, he's been making these mash-ups for many years, and it doesn't appear he's faced any legal challenges. The lack of credit given to the original artists, however, could raise copyright issues.

