

FREE SPEECH COPYRIGHT AND FAIR USE

free speech

The First Amendment guarantees important freedoms, including the freedom of speech.



copyright

Copyright is a protection given to creators for a limited time to let them receive payment for their work. It's an incentive for authors and creators to devote time and money to producing new works. In this way, copyright encourages speech and creativity.



fair use

Fair use is an important part of copyright that allows limited use of copyrighted work without permission for purposes such as commentary, criticism, parody, teaching, and works that are "transformative." Fair use promotes creativity and innovation.



MAY I USE THIS?

NO Is it old enough to be in the public domain?
(Published more than 95 years ago? Other factors apply: Ask a librarian for help!)

YES Use it



NO Did the creator choose a Creative Commons license to allow sharing without permission? **YES** Use it

Weigh these options together to decide if you have a legitimate fair use claim.

1 Purpose & Character of Your Use

Is your new work transformative because it adds new expression to the original, like a parody, or because it uses the original for a new purpose, like for teaching?



3 Amount & Substance

Did you use more than was necessary?
Did you take the heart of the thing?

2 Nature of the Original

Is the original work highly creative or just a bunch of info?

4 Effect on the Market

Could your use affect the market by substituting for the original in the marketplace?

You need permission from the owner.



NO

Is this fair use?

YES

Use it

Everyone benefits when we understand the rules and treat each other with respect.

