

WHAT IS FAIR USE?

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WHAT IS FAIR USE?

- Fair use is a legal principle that encourages freedom of expression by allowing the use of copyrighted materials without permission in specific situations.
- Circumstances include teaching, research, criticism, and more
- Example: a book reviewer to quote short passages from a novel in their critique without needing permission from the copyright holder

WHAT ISN'T FAIR USE?

- someone took an entire chapter from a copyrighted book and posted it online for others to read without permission from the author or publisher

HOW DOES FAIR USE BENEFIT SOCIETY?

- Allows creators to build upon existing works
- Allows educators and researchers to use copyrighted materials without seeking permission and facilitate teaching, learning, and other academic activities
- Allows journalists to quote from copyrighted works to report on current events, public figures, or review media
- Ensures that copyright law does not overly restrict the use of existing works while still protecting the economic interests of the original creators.

THE CONNECTION

- The main purpose of both Copyright and Fair Use is to promote and encourage creativity and innovation
- The Difference?
 - Copyright grants exclusive rights and protections to the original creators of the work
 - Fair Use allows people to use copyrighted materials without permission in certain uses and settings

COMMON MISTAKES

- Using entire works
- Assuming all nonprofit or educational purposes qualify for Fair Use
- Believing all Internet content is free to use
- Ignoring the market effect

CONCLUSION

- Consequences
 - Legal Action
 - Damages and Fines
 - Loss of Reputation
- How to Avoid These Mistakes?
 - Be familiar with the four factors of fair use: purpose and character of the use, nature of the copyrighted work, amount and substantiality of the portion used, and effect on the potential market for the original work
 - When in doubt, seek advice from a professional or ask for permission from the original creator or publisher