

K. Professor Janet Ann Gabler-Hover

572. Professor Janet Ann Gabler-Hover is currently employed as a professor at Georgia State University.

1) ENGL4200 – Cyborgs in American Culture (Fall 2009)

573. Professor Gabler-Hover required her students to purchase the following works for ENGL4200: I, Robot (Asimov); Lilith's Blood (Butler); Do Androids Dream of Electric Sheep (Dick); Neuromancer (Gibson).

574. Professor Gabler-Hover taught ENGL4200 during Fall 2009.

i. A History of Feminist Literary Criticism

575. Thirty students enrolled in Professor Gabler-Hover's section of ENGL4200.

576. Professor Gabler-Hover used an excerpt from the work A History of Feminist Literary Criticism while teaching ENGL4200 during Fall 2009.

577. A History of Feminist Literary Criticism is published by Cambridge.

578. A History of Feminist Literary Criticism is a collective work made up of works from several different contributors, and is 364 pages long.

579. A History of Feminist Literary Criticism was first published on August 30, 2007 in the United Kingdom.

580. No application to register A History of Feminist Literary Criticism was ever filed with the U.S. Copyright Office.

581. The excerpt of A History of Feminist Literary Criticism Professor Gabler-Hover placed on Georgia State University's ERes system is a single work provided by one contributor, Stacy Gillis, and Stacy Gillis did not assign or grant an exclusive license to the work to Cambridge.

582. Professor Gabler-Hover prepared a fair use checklist prior to requesting that the library put the excerpt of the work on Georgia State University's ERes system.

583. Professor Gabler-Hover misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt.

584. The excerpt of A History of Feminist Literary Criticism that was placed on Georgia State University's ERes system was 14 pages long, and constituted one essay and approximately 3.8% of the work.

585. The excerpt of A History of Feminist Literary Criticism that was placed on Georgia State University's ERes system was used for a nonprofit,

educational purpose. Namely, the excerpt was used as part of Professor Gabler-Hover's course materials for the purpose of teaching her class, and neither Professor Gabler-Hover, Georgia State University, nor the named defendants profited from the use of the excerpt of A History of Feminist Literary Criticism.

586. The excerpt of A History of Feminist Literary Criticism that was placed on Georgia State University's ERes system was not used for commercial purposes.

587. The excerpt of A History of Feminist Literary Criticism that was placed on Georgia State University's ERes system was used by Professor Gabler-Hover for the purpose of teaching the students in her course.

588. Neither Georgia State University, Professor Gabler-Hover, nor the named Defendants profited from the use of the excerpt of A History of Feminist Literary Criticism that was placed on Georgia State University's ERes system.

589. Professor Gabler-Hover did not use the excerpt of A History of Feminist Literary Criticism that she placed on Georgia State University's ERes system for the purpose of entertainment.

590. Professor Gabler-Hover's use of the excerpt of A History of Feminist Literary Criticism that she placed on Georgia State University's ERes

system was necessary to achieve her intended educational purpose, which was to A History of Feminist Literary Criticism.

591. Professor Gabler-Hover did not publish or publicly distribute the excerpt of A History of Feminist Literary Criticism that she placed on Georgia State University's ERes system.

592. Professor Gabler-Hover's use of the excerpt of A History of Feminist Literary Criticism that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

593. A History of Feminist Literary Criticism is a published work.

594. A History of Feminist Literary Criticism is a factual work of nonfiction.

595. The excerpt of A History of Feminist Literary Criticism that Professor Gabler-Hover used in her course was important to her educational objectives.

596. The excerpt of A History of Feminist Literary Criticism that Professor Gabler-Hover used in her course amounts to 3.8% of the work, and as such, was a small portion of A History of Feminist Literary Criticism.

597. The excerpt of A History of Feminist Literary Criticism that Professor Gabler-Hover used in her course was not central to the work.

598. The excerpt of *A History of Feminist Literary Criticism* that Professor Gabler-Hover used in her course was narrowly tailored for Professor Gabler-Hover's educational purpose.

599. Professor Gabler-Hover's use of the excerpt of *A History of Feminist Literary Criticism* did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to his/her class.

600. Professor Gabler-Hover's use of the excerpt of *A History of Feminist Literary Criticism* stimulated the market for the original work.

601. A small number of copies of the excerpt of *A History of Feminist Literary Criticism* were distributed—specifically, the ERes records indicate that the work was accessed 25 times.

602. Access to the excerpt of *A History of Feminist Literary Criticism* was limited to the students in the class by a password protected website.

603. The excerpt of *A History of Feminist Literary Criticism* was removed from the ERes system after the semester ended.