

M. Professor Greenberg

633. Professor Greenberg is currently employed as an associate professor at Georgia State University.

1) EPY8070 – Fall 2009

634. Professor Greenberg taught EPY8070 during Fall 2009.

635. Fifteen students enrolled in Professor Greenberg's section of EPY8070.

636. Professor Greenberg required her students to purchase the following works for EPY8070: Bringing Transformative Learning to Life (King); Learning in Adulthood (Merriam).

i. Handbook of Adult Development and Learning

637. Professor Greenberg used an excerpt from the work Handbook of Adult Development and Learning while teaching EPY8070 during Fall 2009.

638. Handbook of Adult Development and Learning is published by Oxford.

639. Handbook of Adult Development and Learning is 595 pages long.

640. Handbook of Adult Development and Learning is a collective work made up of works from several different contributors.

641. Handbook of Adult Development and Learning is not owned by Oxford by an assignment.

642. The excerpt of Handbook of Adult Development and Learning Professor Greenberg placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to Oxford.

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

644. The excerpt of Handbook of Adult Development and Learning that was placed on Georgia State University's ERes system was 40 pages long, and constituted approximately 6.7% of the work.

645. The excerpt of Handbook of Adult Development and Learning 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 Greenberg's course materials for the purpose of teaching her class, and neither Professor Greenberg, Georgia State University, nor the named defendants profited from the use of the excerpt of Handbook of Adult Development and Learning.

646. The excerpt of Handbook of Adult Development and Learning that was placed on Georgia State University's ERes system was not used for commercial purposes.

647. The excerpt of Handbook of Adult Development and Learning that was placed on Georgia State University's ERes system was used by Professor Greenberg for the purpose of teaching the students in her course.

648. Neither Georgia State University, Professor Greenberg, nor the named Defendants profited from the use of the excerpt of Handbook of Adult Development and Learning that was placed on Georgia State University's ERes system.

649. Professor Greenberg did not use the excerpt of Handbook of Adult Development and Learning that she placed on Georgia State University's ERes system for the purpose of entertainment.

650. Professor Greenberg's use of the excerpt of Handbook of Adult Development and Learning that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

651. Professor Greenberg did not publish or publicly distribute the excerpt of Handbook of Adult Development and Learning that she placed on Georgia State University's ERes system.

652. Professor Greenberg's use of the excerpt of Handbook of Adult Development and Learning that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

653. Handbook of Adult Development and Learning is a published work.

654. Handbook of Adult Development and Learning is a factual work of nonfiction.

655. The excerpt of Handbook of Adult Development and Learning that Professor Greenberg used in her course was important to her educational objectives.

656. The excerpt of Handbook of Adult Development and Learning that Professor Greenberg used in her course amounts to 6.7% of the work, and as such, was a small portion of Handbook of Adult Development and Learning.

657. The excerpt of Handbook of Adult Development and Learning that Professor Greenberg used in her course was not central to the work.

658. The excerpt of Handbook of Adult Development and Learning that Professor Greenberg used in her course was narrowly tailored for Professor Greenberg's educational purpose.

659. Professor Greenberg's use of the excerpt of Handbook of Adult Development and Learning did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

660. Professor Greenberg's use of the excerpt of Handbook of Adult Development and Learning stimulated the market for the original work.

661. Access to the excerpt of Handbook of Adult Development and Learning was limited to the students in the class by a password protected website.

662. The excerpt of Handbook of Adult Development and Learning was removed from the ERes system after the semester ended.

663. GSU lawfully owns a copy of Handbook of Adult Development and Learning.