

FF. Professor Whitten

2884. Professor Whitten is not currently employed as a professor at Georgia State University.

1) **PSYC4030 – CROSS-CULTURAL PSYCHOLOGY – FALL 2009**

2885. Professor Whitten taught PSYC4030 during Fall 2009.

2886. Thirteen students enrolled in Professor Whitten's section of PSYC4030.

2887. Professor Whitten required her students to purchase the following works for PSYC4030: Culture and Psychology (Matsumoto & Juang).

i. **A World of Babies: Imagined Childcare Guides for Seven Societies**

2888. Professor Whitten used an excerpt from the work A World of Babies: Imagined Childcare for Seven Societies while teaching PSYC4030 during Fall 2009.

2889. A World of Babies is published by Cambridge.

2890. A World of Babies is 293 pages long.

2891. A World of Babies is a collective work made up of works from several different contributors.

2892. A World of Babies was first published on May 18, 2000.

2893. An application to register A World of Babies was filed with the U.S. Copyright Office on January 7, 2011, over ten years after the date of A World of Babies' first publication.

2894. No application to register A World of Babies was ever filed with the U.S. Copyright Office.

2895. Professor Whitten prepared a fair use checklist prior to requesting that the library put the excerpt of the work on Georgia State University's ERes system.

2896. The excerpt of A World of Babies that was placed on Georgia State University's ERes system was 293 pages long, and constituted approximately 7.8% of the work.

2897. The excerpt of A World of Babies 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 Whitten's course materials for the purpose of teaching her class, and neither Professor Whitten, Georgia State University, nor the named defendants profited from the use of the excerpt of A World of Babies.

2898. The excerpt of A World of Babies that was placed on Georgia State University's ERes system was not used for commercial purposes.

2899. The excerpt of A World of Babies that was placed on Georgia State University's ERes system was used by Professor Whitten for the purpose of teaching the students in her course.

2900. Neither Georgia State University, Professor Whitten, nor the named Defendants profited from the use of the excerpt of A World of Babies that was placed on Georgia State University's ERes system.

2901. Professor Whitten did not use the excerpt of A World of Babies that she placed on Georgia State University's ERes system for the purpose of entertainment.

2902. Professor Whitten did not publish or publicly distribute the excerpt of A World of Babies that she placed on Georgia State University's ERes system.

2903. Professor Whitten's use of the excerpt of A World of Babies that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

2904. A World of Babies is a published work.

2905. A World of Babies is a factual work of nonfiction.

2906. The excerpt of A World of Babies that Professor Whitten used in her course was important to her educational objectives.

2907. The excerpt of *A World of Babies* that Professor Whitten used in her course amounts to 7.8% of the work, and as such, was a small portion of *A World of Babies*.

2908. The excerpt of *A World of Babies* that Professor Whitten used in her course was narrowly tailored for Professor Whitten's educational purpose.

2909. The publisher of *A World of Babies* does not market any similar product.

2910. Professor Whitten assigned the excerpt of *A World of Babies* as supplemental classroom reading—they had one textbook as required reading.

2911. A small number of copies of the excerpt of *A World of Babies* were distributed—specifically, the ERes records indicate that the work was accessed 20 times.

2912. Access to the excerpt of *A World of Babies* was limited to the students in the class by a password protected website.

2913. The excerpt of *A World of Babies* was removed from the ERes system after the semester ended.

2914. GSU lawfully owns a copy of *A World of Babies*.