

H. Professor Patricia Dixon

233. Professor Patricia Dixon is currently employed as a professor at Georgia State University.

1) AAS3000 – AFRICAN-AMERICAN FAMILY – FALL 2009

234. Professor Dixon taught AAS3000 during Fall 2009.

235. Fifty-nine students enrolled in Professor Dixon's section of AAS3000.

236. Professor Dixon required her students to purchase the following works for AAS3000: Ensuring Inequality (Franklin); African American Family Life (McLoyd); The Strength of African American Families (Hill); Black Families (McAdoo); The Black Family (Staples); The Negro Family in the United States (Frazier).

i. The Slave Community

237. Professor Dixon used an excerpt from the work The Slave Community while teaching AAS3000 during Fall 2009.

238. The Slave Community is published by Oxford.

239. The Slave Community is 432 pages long.

240. The Slave Community is not owned by Oxford by an assignment.

241. The excerpt of *The Slave Community* Professor Dixon placed on Georgia State University's ERes system is a single work provided by one author, but the assignment provided by Oxford from that author has a different work assigned, *Southern Plantations: The World of the Black Slave*.

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

243. The excerpt of *The Slave Community* that was placed on Georgia State University's ERes system was 35 pages long, and constituted one chapter and 8.1% of the work.

244. The excerpt of *The Slave Community* 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 Dixon's course materials for the purpose of teaching her class, and neither Professor Dixon, Georgia State University, nor the named defendants profited from the use of the excerpt of *The Slave Community*.

245. The excerpt of *The Slave Community* that was placed on Georgia State University's ERes system was not used for commercial purposes.

246. The excerpt of The Slave Community that was placed on Georgia State University's ERes system was used by Professor Dixon for the purpose of teaching the students in her course.

247. Neither Georgia State University, Professor Dixon, nor the named Defendants profited from the use of the excerpt of The Slave Community that was placed on Georgia State University's ERes system.

248. Professor Dixon used the excerpt of The Slave Community that she placed on Georgia State University's ERes system for the purpose of research and scholarship.

249. Professor Dixon did not use the excerpt of The Slave Community that she placed on Georgia State University's ERes system for the purpose of entertainment.

250. Professor Dixon used the excerpt of The Slave Community that she placed on Georgia State University's ERes system for the purpose of criticism and/or comment.

251. Professor Dixon's use of the excerpt of The Slave Community that she placed on Georgia State University's ERes system was for personal study.

252. Professor Dixon's use of the excerpt of *The Slave Community* that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

253. Professor Dixon did not publish or publicly distribute the excerpt of *The Slave Community* that she placed on Georgia State University's ERes system.

254. Professor Dixon's use of the excerpt of *The Slave Community* that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

255. *The Slave Community* is a published work.

256. *The Slave Community* is a factual work of nonfiction.

257. The excerpt of *The Slave Community* that Professor Dixon used in her course was important to her educational objectives.

258. The excerpt of *The Slave Community* that Professor Dixon used in her course amounts to 8.1% of the work, and as such, was a small portion of *The Slave Community*.

259. The excerpt of *The Slave Community* that Professor Dixon used in her course was not central to the work.

260. The excerpt of *The Slave Community* that Professor Dixon used in her course was narrowly tailored for Professor Dixon's educational purpose.

261. Professor Dixon's use of the excerpt of *The Slave Community* 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.

262. Professor Dixon's use of the excerpt of *The Slave Community* stimulated the market for the original work.

263. The publisher of *The Slave Community* does not market any similar product.

264. *The Slave Community* is no longer in print.

265. Licensing or permission for *The Slave Community* is unavailable.

266. Professor Dixon assigned the excerpt of *The Slave Community* as supplemental classroom reading – they had 11 textbooks as required reading.

267. A small number of copies of the excerpt of *The Slave Community* were distributed—specifically, the ERes records indicate that the work was accessed 66 times.

268. Access to the excerpt of The Slave Community was limited to the students in the class by a password protected website.

269. The excerpt of The Slave Community was removed from the ERes system after the semester ended.

270. Professor Dixon lawfully owns a copy of The Slave Community.

(b) African American Single Mothers

271. Professor Dixon used an excerpt from the work African American Single Mothers while teaching AAS3000 during Fall 2009.

272. African American Single Mothers is published by SAGE.

273. African American Single Mothers is 232 pages long.

274. African American Single Mothers is a collective work made up of works from several different contributors.

275. African American Single Mothers is licensed by SAGE by an exclusive license in certain rights.

276. African American Single Mothers was first published on January 1, 1995.

277. An application to register African American Single Mothers was filed with the U.S. Copyright Office on February 2, 1995, 14 days after the date of African American Single Mothers' first publication.

278. The excerpt of African American Single Mothers Professor Dixon placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did grant an exclusive license to the work to SAGE.

279. Professor Dixon prepared a fair use checklist prior to requesting that the library put the excerpt African American Single Mothers on Georgia State University's ERes system.

280. Professor Dixon did not print 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 of African American Single Mothers.

281. The excerpt of African American Single Mothers that was placed on Georgia State University's ERes system was 29 pages long, and constituted one chapter and approximately 12.5% of the work.

282. The excerpt of African American Single Mothers 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 Dixon's

course materials for the purpose of teaching her class, and neither Professor Dixon, Georgia State University, nor the named defendants profited from the use of the excerpt of African American Single Mothers.

283. The excerpt of African American Single Mothers that was placed on Georgia State University's ERes system was not used for commercial purposes.

284. The excerpt of African American Single Mothers that was placed on Georgia State University's ERes system was used by Professor Dixon for the purpose of teaching the students in her course.

285. Neither Georgia State University, Professor Dixon, nor the named Defendants profited from the use of the excerpt of African American Single Mothers that was placed on Georgia State University's ERes system.

286. Professor Dixon used the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system for the purpose of research and scholarship.

287. Professor Dixon did not use the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system for the purpose of entertainment.

288. Professor Dixon used the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system for the purpose of criticism and/or comment.

289. Professor Dixon's use of the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system was for personal study.

290. Professor Dixon's use of the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

291. Professor Dixon did not publish or publicly distribute the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system.

292. Professor Dixon's use of the excerpt of African American Single Mothers that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

293. African American Single Mothers is a published work.

294. African American Single Mothers is a factual work of nonfiction.

295. The excerpt of African American Single Mothers that Professor Dixon used in her course was important to her educational objectives.

296. The excerpt of African American Single Mothers that Professor Dixon used in her course amounts to 12.5% of the work, and as such, was a small portion of African American Single Mothers.

297. The excerpt of African American Single Mothers that Professor Dixon used in her course was not central to the work.

298. The excerpt of African American Single Mothers that Professor Dixon used in her course was narrowly tailored for Professor Dixon's educational purpose.

299. Professor Dixon's use of the excerpt of African American Single Mothers 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.

300. Professor Dixon's use of the excerpt of African American Single Mothers stimulated the market for the original work.

301. SAGE, the publisher of African American Single Mothers, does not market any similar product.

302. African American Single Mothers is no longer in print.

303. Licensing or permission for African American Single Mothers is unavailable.

304. Professor Dixon assigned the excerpt of African American Single Mothers as supplemental classroom reading – they had 11 textbooks as required reading.

305. A small number of copies of the excerpt of African American Single Mothers were distributed—specifically, the ERes records indicate that the work was accessed 15 times.

306. Access to the excerpt of African American Single Mothers was limited to the students in the class by a password protected website.

307. The excerpt of African American Single Mothers was removed from the ERes system after the semester ended.

308. GSU lawfully owns a copy of African American Single Mothers.

(c) **Black Children**

309. Professor Dixon used an excerpt from the work Black Children while teaching AAS3000 during Fall 2009.

310. Black Children is published by SAGE.

311. Black Children is 256 pages long.

312. Black Children is a collective work made up of works from several different contributors.

313. Black Children is not owned by SAGE by an assignment.

314. The excerpt of Black Children Professor Dixon placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did grant an exclusive license to the work to SAGE.

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

316. The excerpt of Black Children that was placed on Georgia State University's ERes system was 24 pages long, and constituted one chapter and 7.1% of the work.

317. The excerpt of Black Children 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 Dixon's course materials for the purpose of teaching her class, and neither Professor Dixon, Georgia State University, nor the named defendants profited from the use of the excerpt of Black Children.

318. The excerpt of Black Children that was placed on Georgia State University's ERes system was not used for commercial purposes.

319. The excerpt of Black Children that was placed on Georgia State University's ERes system was used by Professor Dixon for the purpose of teaching the students in her course.

320. Neither Georgia State University, Professor Dixon, nor the named Defendants profited from the use of the excerpt of Black Children that was placed on Georgia State University's ERes system.

321. Professor Dixon used the excerpt of Black Children that she placed on Georgia State University's ERes system for the purpose of research and scholarship.

322. Professor Dixon did not use the excerpt of Black Children that she placed on Georgia State University's ERes system for the purpose of entertainment.

323. Professor Dixon used the excerpt of Black Children that she placed on Georgia State University's ERes system for the purpose of criticism and/or comment.

324. Professor Dixon's use of the excerpt of Black Children that she placed on Georgia State University's ERes system was for personal study.

325. Professor Dixon's use of the excerpt of *Black Children* that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

326. Professor Dixon did not publish or publicly distribute the excerpt of *Black Children* that she placed on Georgia State University's ERes system.

327. Professor Dixon's use of the excerpt of *Black Children* that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

328. *Black Children* is a published work.

329. *Black Children* is a factual work of nonfiction.

330. The excerpt of *Black Children* that Professor Dixon used in her course was important to her educational objectives.

331. The excerpt of *Black Children* that Professor Dixon used in her course amounts to 7.1% of the work, and as such, was a small portion of *Black Children*.

332. The excerpt of *Black Children* that Professor Dixon used in her course was not central to the work.

333. The excerpt of Black Children that Professor Dixon used in her course was narrowly tailored for Professor Dixon's educational purpose.

334. Professor Dixon's use of the excerpt of Black Children 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.

335. Professor Dixon's use of the excerpt of Black Children stimulated the market for the original work.

336. The publisher of Black Children does not market any similar product.

337. Black Children is no longer in print.

338. Licensing or permission for Black Children is unavailable.

339. Professor Dixon assigned the excerpt of Black Children as supplemental classroom reading – they had 11 textbooks as required reading.

340. A small number of copies of the excerpt of Black Children were distributed—specifically, the ERes records indicate that the work was accessed 13 times.

341. Access to the excerpt of Black Children was limited to the students in the class by a password protected website.

342. The excerpt of Black Children was removed from the ERes system after the semester ended.

343. GSU lawfully owns a copy of Black Children.

(d) Black Families

344. Professor Dixon used an excerpt from the work Black Families while teaching AAS3000 during Fall 2009.

345. Black Families is published by SAGE.

346. Black Families is 380 pages long.

347. Black Families is a collective work made up of works from several different contributors.

348. Black Families is not owned by SAGE by an assignment,.

349. The excerpt of Black Families Professor Dixon placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did grant an exclusive license to the work to SAGE.

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

351. The excerpt of Black Families that was placed on Georgia State University's ERes system was 20 pages long, and constituted approximately 5.3% of the work. Don't know, don't have the book or excerpt.

352. The excerpt of Black Families 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 Dixon's course materials for the purpose of teaching her class, and neither Professor Dixon, Georgia State University, nor the named defendants profited from the use of the excerpt of Black Families.

353. The excerpt of Black Families that was placed on Georgia State University's ERes system was not used for commercial purposes.

354. The excerpt of Black Families that was placed on Georgia State University's ERes system was used by Professor Dixon for the purpose of teaching the students in her course.

355. Neither Georgia State University, Professor Dixon, nor the named Defendants profited from the use of the excerpt of Black Families that was placed on Georgia State University's ERes system.

356. Professor Dixon used the excerpt of Black Families that she placed on Georgia State University's ERes system for the purpose of research and scholarship.

357. Professor Dixon did not use the excerpt of Black Families that she placed on Georgia State University's ERes system for the purpose of entertainment.

358. Professor Dixon used the excerpt of Black Families that she placed on Georgia State University's ERes system for the purpose of criticism and/or comment.

359. Professor Dixon's use of the excerpt of Black Families that she placed on Georgia State University's ERes system was for personal study.

360. Professor Dixon's use of the excerpt of Black Families that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

361. Professor Dixon did not publish or publicly distribute the excerpt of Black Families that she placed on Georgia State University's ERes system.

362. Professor Dixon's use of the excerpt of Black Families that she placed on Georgia State University's ERes system did not exceed her intended educational purpose.

363. Black Families is a published work.

364. Black Families is a factual work of nonfiction.

365. The excerpt of Black Families that Professor Dixon used in her course was important to her educational objectives.

366. The excerpt of Black Families that Professor Dixon used in her course amounts to 5.3% of the work, and as such, was a small portion of Black Families.

367. The excerpt of Black Families that Professor Dixon used in her course was not central to the work.

368. The excerpt of Black Families that Professor Dixon used in her course was narrowly tailored for Professor Dixon's educational purpose.

369. Professor Dixon's use of the excerpt of Black Families 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.

370. Professor Dixon's use of the excerpt of Black Families stimulated the market for the original work.

371. The publisher of Black Families does not market any similar product.

372. Black Families is no longer in print.

373. Licensing or permission for Black Families is unavailable.

374. Professor Dixon assigned the excerpt of Black Families as supplemental classroom reading – they had 11 number of textbooks as required reading.

375. A small number of copies of the excerpt of Black Families were distributed—specifically, the ERes records indicate that the work was accessed 9 times.

376. Access to the excerpt of Black Families was limited to the students in the class by a password protected website.

377. The excerpt of Black Families was removed from the ERes system after the semester ended.

378. GSU lawfully owns a copy of Black Families.