

EXHIBIT 1



Introduction

Copyright Basics

- Introduction
- What is Copyright Law?
- Fair Use
- DMCA
- TEACH Act

Using Content

Copyright Compliance

Other Campus Copyright Issues

Quick Links

Home

CAMPUS GUIDE TO COPYRIGHT COMPLIANCE

COPYRIGHT CLEARANCE CENTER

COPYRIGHT BASICS: FAIR USE

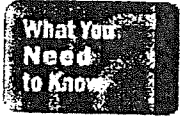
Determining Fair Use

Exceptions for Libraries and Archives

Exceptions for the use of Materials in an Educational Setting

Fair Use Check List

The following Checklist for Fair Use is based on a document created by Professor Kenneth Crews and the staff of the Copyright Management Center at Indiana University-Purdue University Indianapolis. Based on the four factors of fair use—purpose, nature, amount and effect—the checklist was created to help educators, librarians and others evaluate content uses to determine if fair use applies. This tool provides an important means for recording your fair use analysis, which is critical to establishing "reasonable and good-faith" attempts to apply fair use. [Click here](#) for more information on the Copyright Management Center at Indiana University-Purdue University Indianapolis.



Purpose

Favoring Fair Use

- Directly related to classroom use
- Research
- Scholarship
- Nonprofit Educational Institution
- Criticism
- Comment
- News reporting
- Transformative or Productive use (changes the work for new utility)
- Restricted access (to students or other appropriate group)
- Parody

Opposing Fair Use

- Commercial activity
- Profiting from the use
- Entertainment
- Bad-faith behavior
- Denying credit to original author

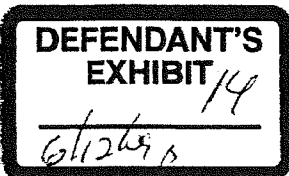
Nature

Favoring Fair Use

- Published work
- Factual or nonfiction based

Opposing Fair Use

- Unpublished work
- Highly creative work (art, music, novels, films, plays)



Important to favored educational objectives

Fiction

Amount

Favoring Fair Use

- Small quantity
- Portion used is not central or significant to entire work
- Amount is appropriate for favored educational purpose

Opposing Fair Use

- Large portion or whole work used
- Portion used is central to work or "heart of the work"

Effect

Favoring Fair Use

- User owns lawfully acquired or purchased copy of original work
- One or few copies made
- No significant effect on the market or potential market for copyrighted work
- No similar product marketed by the copyright holder

Opposing Fair Use

- Could replace sale of copyrighted work
- Impairs market or potential market for copyrighted work or derivative
- Available licensing mechanism for use of the copyrighted work
- Permission available for using work
- Numerous copies made
- You made it accessible on Web or in other public forum
- Repeated or long term use