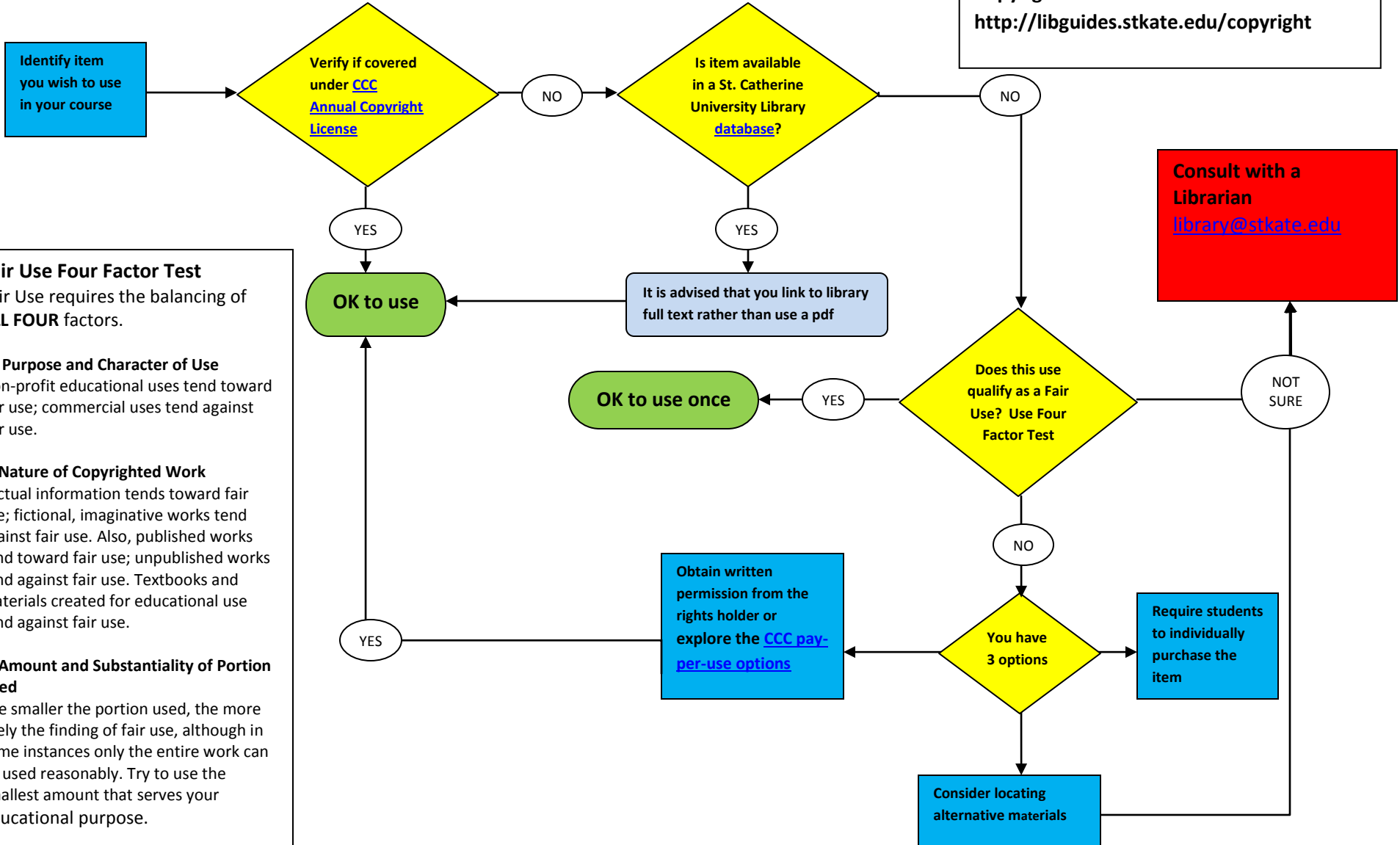


# Using Copyrighted Works at St. Catherine University

St. Catherine Copyright Guide and Copyright Clearance Center Annual License  
<http://libguides.stkate.edu/copyright>



**Fair Use Four Factor Test**  
 Fair Use requires the balancing of **ALL FOUR** factors.

- 1. Purpose and Character of Use**  
 Non-profit educational uses tend toward fair use; commercial uses tend against fair use.
- 2. Nature of Copyrighted Work**  
 Factual information tends toward fair use; fictional, imaginative works tend against fair use. Also, published works tend toward fair use; unpublished works tend against fair use. Textbooks and materials created for educational use tend against fair use.
- 3. Amount and Substantiality of Portion Used**  
 The smaller the portion used, the more likely the finding of fair use, although in some instances only the entire work can be used reasonably. Try to use the smallest amount that serves your educational purpose.
- 4. Market Effect**  
 Will this use have an effect on the copyright holder's ability to profit from the original? The less market impact, the better for finding fair use.