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 - b) Infringing any of these rights may result in civil penalties (injunctions, monetary damages) or criminal penalties.
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- b) The Law provides no concrete list of what is, or is not, a Fair Use. Rather, It is necessary to perform a Fair Use analysis using four equal factors:
 - (1) Purpose and character of the Intended Use
 - (2) Nature of the copyrighted Work;
 - (3) Amount and substance of the portion being used
 - (4) Effect on the market or value of the copyrighted work
 - c) In making a Fair Use determination, it is recommended to use a Fair Use Checklist (see 'Resources' list on next page). Complete the checklist in its entirety, and file the checklist as documentation of your good faith effort to make a Fair Use determination.
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- a) Contact the journal publisher to obtain the necessary permission and bring it to the Thesis Office.



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RESOURCES FOR FURTHER ASSISTANCE AND INFORMATION

Copyright Issues for Graduate Students

Kenneth D. Crews, *Copyright Law & Graduate Research: New Media, New Rights, and Your New Dissertation*. Online, URL: <http://www.umi.com/en-US/products/dissertations/copyright/>

Basics of Copyright Law

Copyright Law of the United States. Online, URL: <http://www.copyright.gov/title17/>

U. S. Copyright Office, *Copyright Basics*. Online, URL: <http://www.copyright.gov/circs/circ01.pdf>.

U.S. Copyright Office, *Registering A Work*. Online, URL: <http://www.copyright.gov/help/faq/faq-register.html>

Fair Use

University of Texas, *Fair Use of Copyrighted Materials*. Online, URL: <http://www.utsystem.edu/ogc/intellectualproperty/copypol2.htm>

Checklist for Fair Use from the Copyright Advisory Office, Columbia University Libraries/Information Services. Online, URL: <http://copyright.columbia.edu/fair-use-checklist>.

Fair Use Analysis Worksheet from the University of Minnesota Libraries – TC Campus. Retrieved February 2, 2010. Online, URL: <http://www.lib.umn.edu/copyright/FU-checklist.pdf>.

Getting Permissions

“Sample Permission Letter”, Appendix A in Crews, K., *Copyright Law & Graduate Research: New Media, New Rights, and Your New Dissertation*. Online, URL: <http://www.proquest.com/en-US/products/dissertations/copyright/AppxA.html>

Authors’ Rights

Scholarly Publishing and Academic Resources Coalition (SPARC), *Resources for Authors*. Online, URL: <http://www.arl.org/sparc/index.html>

“Regain Control of Scholarly Communication” website, University of California Office of Scholarly Communication. Online, URL: <http://osc.universityofcalifornia.edu/>

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