

Western Illinois University Libraries Copyright Signoff Form for Reserves

Faculty Sign-Off Form: _____ (Semester Materials will be used e.g. Fall 2011)

In order to place materials on electronic course reserves, faculty must either acquire permission from the copyright holder or certify by signing below, that the material to be copied qualifies as Fair Use. A determination of Fair Use must be based on Section 107 of the United States Copyright Act, which states:

"Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified in that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use, the factors to be considered shall include:

1. The purpose and character of the use, including whether such use is of a commercial nature, or is for non-profit educational use;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work."

Some resources for helping to determine whether or not a particular use is Fair:

<http://librarycopyright.net/fairuse/>
