# Fair Use Evaluation Documentation
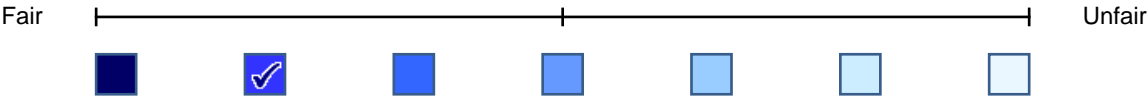
Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/

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|---|---|
| **Name:** | Peace Ossom Williamson |
| **Job Title:** | |
| **Institution:** | The University of Texas at Arlington |
| **Title of Work Used:** | Debates in Digital Humanities |
| **Copyright Holder:** | Matthew K. Gold and Lauren F. Klein |
| **Publication Status:** | Published |
| **Publisher:** | University of Minnesota Press |
| **Place of Publication:** | Minneapolis, MN |
| **Publication Year:** | 2019 |
| **Description of Work:** | public, online textbook about digital humanities - has 5 parts consisting of 44 chapters |
| **Date of Evaluation:** | October 4, 2021 |
| **Date of Intended Use:** | October 4, 2021 |

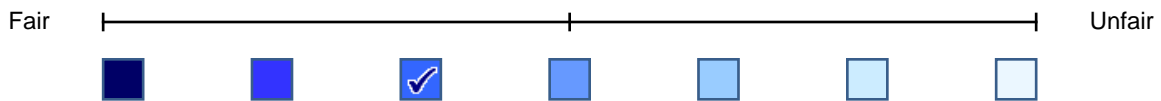## Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for teaching
[+] Use is transformative, i.e. it uses the existing work in a new way (creates an index to the work) or for a new purpose (parody, pastiche, instructional materials, etc.) Transformative works are favored because the purpose of U.S. Copyright Law is to encourage the development and dissemination of new knowledge to benefit the public and thereby advance learning.
[+] Use is socially beneficial (promotes the creation of new knowledge, learning, etc.) [define how]
[+] Use is not-for-profit
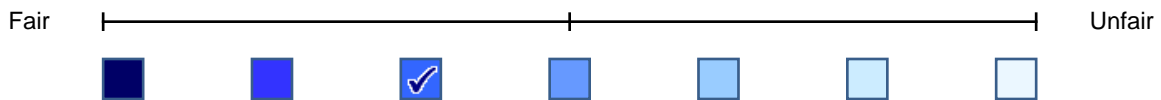[-] Use creates a derivative work of the original (full translation, adaptation, abridged version, etc.)

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**Describe the** # Nature **of Your Intended Use of the Copyrighted Work:**

 [+] Work to be used has been previously PUBLISHED
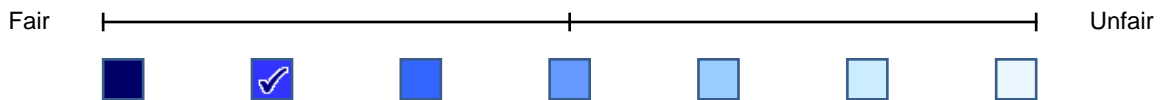[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

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**Describe the** # Amount **of Your Intended Use in Relation to the Copyrighted Work as a Whole:**

[+] Only limited and reasonable portions will be used
[+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)
[+] The amount used falls within widely recognized fair use guidelines* vetted by key stakeholder groups [reference guidelines]

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**Describe the** # Effect **of Your Intended Use on the Potential Market or Value of the Copyrighted Work:**
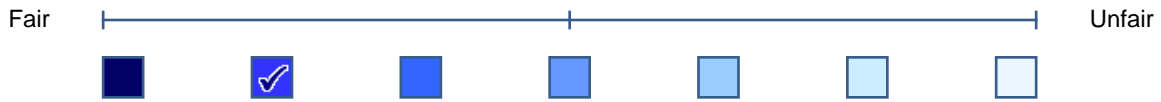
[+] The work is NOT currently under commercial exploitation (out of print, no licensing available, etc.)
[+] Use of the work has the potential to create or improve the market for the work
[+] The copy of the work to be used is a legal copy
[+] Proper attribution will be given with the intended use
[-] The work already has an established market, or the clear potential for a future market as it is being used

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**The Average "Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

[see tool disclaimer for important clarifying information]:

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# Other Important Criteria:

Access to both resources is provided freely online; therefore, source materials are still available to the same audience.

Based on the information and justification I have provided above, I, Peace Ossom Williamson, am asserting this use is **FAIR** under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: _____

*Disclaimer: This document is intended to help you* collect, organize & archive the information you might need to support your fair use evaluation. *It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that* you share this evaluation with a copyright specialist before proceeding with your intended use.