Fair Use: The Four Factors

Four factors

- **Purpose (of the use in question)**
  - Commercial
    - LESS FAIR
    - MORE FAIR
  - Critical
  - Educational
  - Non-profit

- **Nature (of the source work)**
  - Unpublished
    - LESS FAIR
    - MORE FAIR
  - Published
  - More "factual"

- **Amount & Substantiality (of the source work)**
  - Larger amount
    - LESS FAIR
    - MORE FAIR
  - Smaller amount
    - proportionately
  - Borrowing from the "heart of the work"
  - Borrowing from more peripheral elements

- **Effect on the potential market (for the source work)**
  - Harm to the market for the work
    - LESS FAIR
    - MORE FAIR
  - No market harm

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