Copyright Checklist

US Copyright Law allows libraries and their users to scan from library materials for research, teaching, and scholarly purposes; however, libraries must evaluate whether a scan is fair use. This evaluation requires the library to consider four criteria before scanning from an item.

Before submitting a scan request, please answer these questions to see if your request can be considered fair use under US Copyright Law. Green questions favor fair use, while red questions do not favor fair use.

1. The Purpose and Character of the Use
   a. Are you requesting the scan for a non-profit, educational use?
   b. Are you requesting the scan for teaching, scholarship, or research?
   c. Are you requesting the scan for commercial use?

2. The Nature of the Copyrighted Work
   a. Are you requesting a published item?
   b. Are you requesting a work of fiction or nonfiction?
   c. Are you requesting an unpublished item?

3. The Amount or Substantiality of the Portion Used
   a. Are you only requesting a small amount?
   b. Is the requested item text or an image/artwork?
   c. Are you requesting a lot of pages (more than 20% of the book)?
   d. Are you requesting the major section(s) of the book?

4. The Effect of the Use on the Potential Market for or Value of the Work
   a. Is the requested item out of print?
   b. Is the requested item available for purchase for a reasonable price?

If you find that you have answered YES to most of the green questions, feel free to place a scan request. If you answered YES to most of the red questions, then your request is likely not fair use and cannot be scanned. The library reserves the right to make the final judgment about whether the scan request can be considered fair use.

TIP: Check and see if the item is available freely online through the library or another source.

If you have any questions or concerns, please contact us.

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