

Fair Use Evaluation Documentation

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

Name:

Job Title: Programmer

Institution:

Title of Work Used: ASCII Periodic Table of the Elements

Copyright Holder: Eni Generalic

Publication Status: Published

Publisher: Eni Generalic

Place of Publication: Online

Publication Year: 1998

Description of Work: ASCII Periodic Table

Date of Evaluation: February 13, 2015

Date of Intended Use: February 13, 2015

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

To be used in a program that displays information on elements in the periodic table.

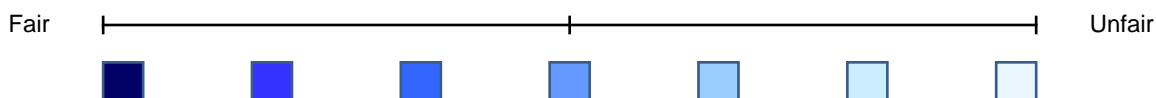
Fair



Unfair

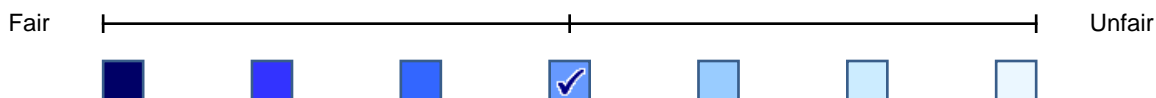
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used contains limited new knowledge, content, or creative expression (in relation to previously copyrighted works)
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)
[+] Original work was not created and/or has not been marketed for the stated purpose of the proposed use



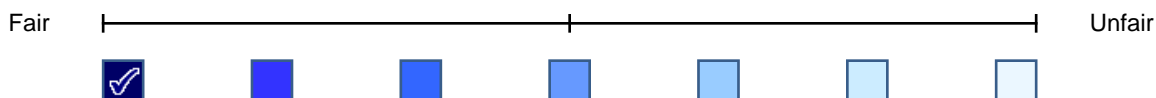
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[-] The entire work, or the "heart" of the work, is used (the "heart" is the portion considered most central to the work as a whole)



Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

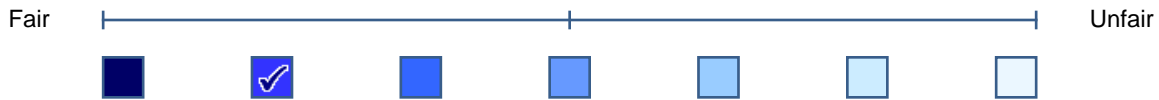
[+] The work is NOT currently under commercial exploitation (out of print, no licensing available, etc.)
[+] A market for the work as it will be used is absent or is negligible & use of the work will have little or no negative impact on its value or potential value
[+] Use of the work minimizes the potential for unauthorized use that could impact its value (i.e. steps are taken to ensure the content is not used outside of the stated purpose or audience)
[+] Proper attribution will be given with the intended use



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

Factors, Is:

[\[see tool disclaimer for important clarifying information\]:](#)



Based on the information and justification I have provided above, I 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.