

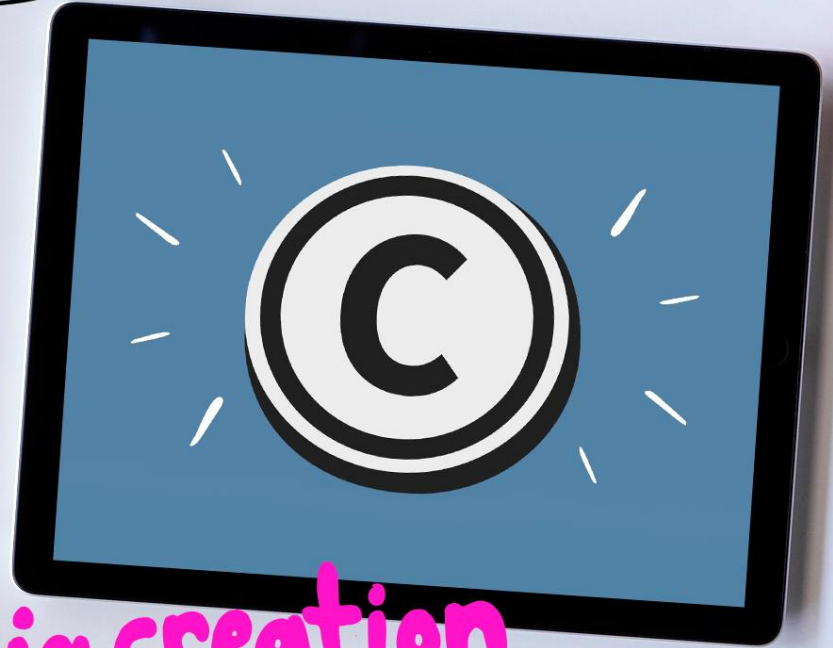


NEWS & MEDIA LITERACY

We are critical
thinkers & creators.

DIGITAL CITIZENSHIP | GRADE 7

The Four Factors of Fair Use



media creation

Essential Question

what rights to fair use do you
have as a creator?

Learning Objectives

1

Define the terms "copyright," "public domain," and "fair use."



2

Identify the purpose of the Four Factors of Fair Use.



3

Apply fair use to real-world examples, making a case for or against it.



WATCH + DISCUSS



Discuss:

- What is copyright?
- How does it relate to public domain and fair use?



Copyright

Legal protection that creators have over the things they create

Public domain

Creative work that's not copyrighted and free to use without permission

Fair use

The ability to use copyrighted work without permission, but only in certain ways and specific situations

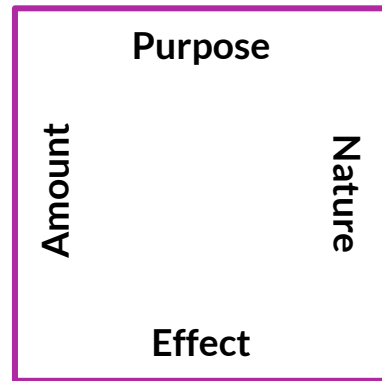


EXPLORE: FAIR AND SQUARE?

To determine **fair use**,
ask yourself: *Is it fair ...*

... and square?

The Four Factors of Fair Use



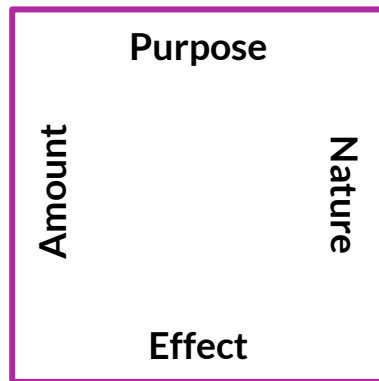


EXPLORE: THE FOUR FACTORS OF FAIR USE

It's more likely to
be **fair use** if ...

... the **amount** used is only a **small** portion of the original work or does not include the "**heart**" of the work.

... the ***purpose*** of the new work is **educational** or the original work is **transformed** into something very different.



... the **nature** of the original work is **nonfiction** or based on fact (rather than creative or fictional).

... the **effect** of the new work does not include any **negative impact** on the creator or the value of the original work (think!).



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Common examples:

- Schoolwork and education
- Criticizing or commenting
- News reporting
- Comedy

... the **nature** of the original work is nonfiction or based on fact (rather than creative or fictional).

... the **effect** of the new work does not include any negative impact on the creator or the value of the original work (think \$!).



Directions

- Read each example. Decide whether you think the example is fair use or not. Keep in mind: For each example, the authors did not get permission to use the copyrighted works.
- Take one minute to discuss and decide for each example.
- Give a thumbs up if you think it's fair use and a thumbs down if you think it isn't.



ACTIVITY: FAIR AND SQUARE?



Example No. 1

Maya is making a flyer for her pet-sitting business to post on her social media account. She finds a cool pet store logo and uses part of it in the flyer.



ACTIVITY: FAIR AND SQUARE?



Example No. 2

A group of students are making a video for their class remembering all they've done throughout the year. They use the song "Good Riddance (Time of Your Life)" by Green Day in the background.



ACTIVITY: FAIR AND SQUARE?



Example No. 3

Eva takes an image of a famous magazine cover of a celebrity model, but she changes the headlines on the cover. She does this to criticize how magazines pressure girls to look perfect.



ACTIVITY: FAIR AND SQUARE?

A



B



Example No. 4

Darren uses Photoshop to create a new version of the *Mona Lisa* by Leonardo da Vinci (image A). He uses this image on his website where he sells other photos he's created.

Which of the following is NOT one of the Four Factors of Fair Use?

- Amount
- Nature
- Purpose
- Standard
- Effect

Which of the following situations is least likely to be fair use?

- A teacher using a photograph in a presentation to his class.
- A journalist using a video clip in a news story.
- A late-night comedian using a photo as part of a political joke.
- A sports fan using a team logo to make his own souvenirs to sell

Landon likes to create digital artwork and share it on his social media. To get more people to check out his profile, he started posting other peoples' images without including the original creators' names. Are Landon's actions an example of fair use?

- No. You can't share others' images on social media.
- Yes. Landon is only changing the pictures he created.
- No. Landon needs to cite other people's images and give the creators credit.
- Yes. Landon is not changing other people's work.

Abby and Brody are working on a project together. They have to make a video about their community. They found a short video someone made of their neighborhood using a drone. They want to use the full video and record their voices over it. What advice would you give Abby and Brody?

- Make sure they include some background music to make it interesting.
- Use only a small clip or get permission from the creator to use the entire video.
- Make it their own by editing the video to be in black and white.

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