

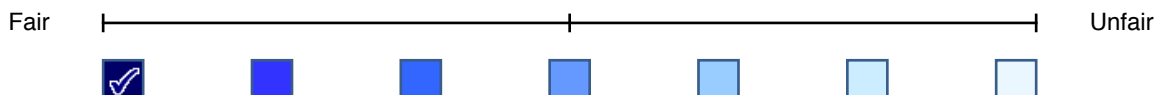
Fair Use Evaluation Documentation

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

Name:	Xin He
Job Title:	Ph.D. Candidate
Institution:	Virginia Tech
Title of Work Used:	Schematic illustrating the proposed roles of chitin size in anti-pathogen responses.
Copyright Holder:	Chun GeunLee, Carla A Da Silva, Jae-Young Lee, Dominik Hartl, Jack A Elias, Elsevier Ltd
Publication Status:	Published
Publisher:	Elsevier
Place of Publication:	
Publication Year:	2008
Description of Work:	Authors: Chun GeunLee, Carla A Da Silva, Jae-Young Lee, Dominik Hartl, Jack A Elias; Copyright holder: Elsevier Ltd
Date of Evaluation:	October 11, 2019
Date of Intended Use:	September 30, 2019

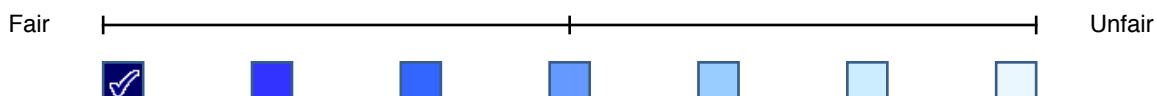
Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"
[+] Use is socially beneficial (promotes the creation of new knowledge, learning, etc.) [define how]
[+] Use is not-for-profit
[+] Use is clearly defined and is restricted in scope (limited duration, not iterative, restricted access, etc.)
[+] Use is one-time, or is only occasional or spontaneous
[+] 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.



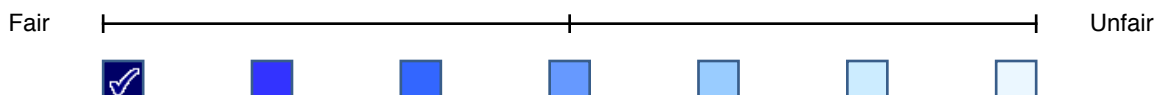
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

- [+] 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



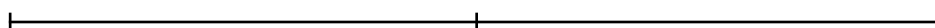
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

- [-] 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)
- [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)
- [+] If the entire work is to be used (which would NOT favor the use being fair), it is clear that no less than the entire work will achieve the stated purpose of the use (e.g. use of a photograph, a short poem, an article, etc.)
- [+] The amount used falls within widely recognized fair use guidelines* vetted by key stakeholder groups [reference guidelines]



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)
- [+] 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



Fair



Unfair

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

Factors, Is:

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

Fair



Unfair

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

Signature: _____

Date of Signature: 10-12-2019

***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.