Name: Richard C. Sobe
Job Title: PhD Candidate
Institution: Virginia Tech
Title of Work Used: Rem, a new transcriptional activator of motility and chemotaxis in Sinorhizobium meliloti
Copyright Holder: Rotter, Christine; Mühlbacher, Susanne; Salamon, Daniel; Schmitt, Rüdiger; Scharf, Birgit/American Society for Microbiology
Publication Status: Published
Publisher: American Society for Microbiology
Place of Publication:
Publication Year: 2006
Description of Work: This work describes the identification and characterization of a transcriptional regulator of flagellar motility in the bacterium Sinorhizobium meliloti.
Date of Evaluation: April 24, 2022
Date of Intended Use: April 24, 2022

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

I believe my 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
[-] Original work is simply duplicated, or reused toward its original intention, rather than being used to create a new work with a new purpose

Fair    |    Unfair
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

<table>
<thead>
<tr>
<th>Work to be used has been previously PUBLISHED</th>
<th>Work to be used contains limited new knowledge, content, or creative expression (in relation to previously copyrighted works)</th>
<th>Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)</th>
<th>Original work was not created and/or has not been marketed for the stated purpose of the proposed use</th>
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<td>☑ Fair</td>
<td>Unfair</td>
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Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

<table>
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<tr>
<th>Only limited and reasonable portions will be used</th>
<th>Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)</th>
<th>The amount used falls within widely recognized fair use guidelines* vetted by key stakeholder groups [reference guidelines]</th>
<th>The figure to be used shares widely available information published over fifteen years ago. My use of this image provides a visual organization of a pretty accessible idea merely to help the reader of my dissertation understand how soil bacteria regulate their motility.</th>
</tr>
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<td>☑ Fair</td>
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Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

<table>
<thead>
<tr>
<th>The work is NOT currently under commercial exploitation (out of print, no licensing available, etc.)</th>
<th>A market for the work as it will be used is absent or is negligible &amp; use of the work will have little or no negative impact on its value or potential value</th>
<th>Proper attribution will be given with the intended use</th>
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<td>Unfair</td>
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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, Richard C. Sobe, 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.