Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/
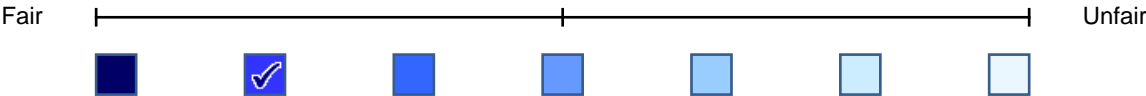
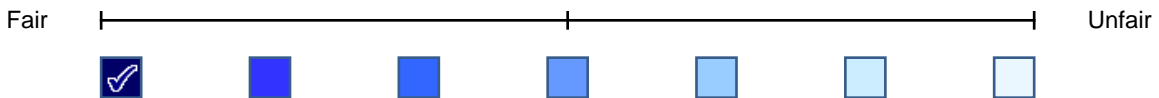|	
Name:	Janet Hanks
Job Title:	Assistant Professor of English
Institution:	New River Community College
Title of Work Used:	Map of Southwest Virginia Counties
Copyright Holder:	Opportunity Southwest Virginia 2012
Publication Status:	Published
Publisher:	Opportunity Southwest Virginia
Place of Publication:	Internet
Publication Year:	2012
Description of Work:	A labeled map of the counties in Southwest Virginia. The map only provides county names and locations; no original material is available on the map.
Date of Evaluation:	November 7, 2019
Date of Intended Use:	November 7, 2019

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

This is a small section of the published whole and is being used to identify the region. The information is readily available and not proprietary to this website. [+] 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.)
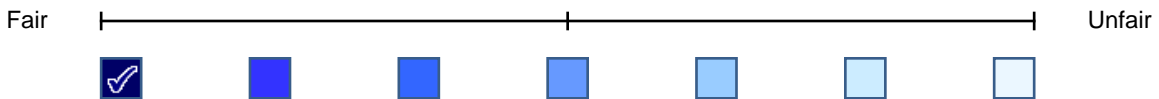
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Describe the # Nature of Your Intended Use of the Copyrighted Work:

This work contains no new information; it simply identifies counties in the region. [+] 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
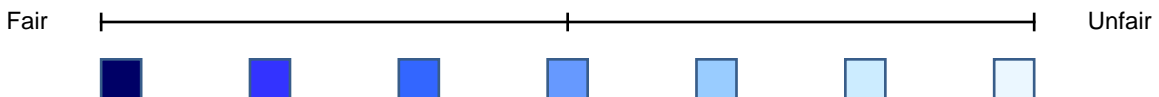
Fair |———————————————|———————————————| Unfair

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

The map being used is incidental to the website. It identifies counties in the area, but contains no other information. [+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (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.)

Fair |———————————————|———————————————| Unfair

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Describe the # Effect of Your Intended Use on the Potential Market or Value of the Copyrighted Work:
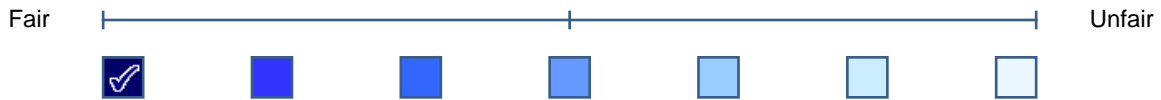
[+] A market for the work as it will be used is absent or is negligible & use of the work will have little or no negative impact on its value or potential value
[+] The copyright holder cannot be identified or cannot be found after a reasonable search, or, once found does not respond (one way or another) to requests for permission to use the work
[+] 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

Fair |———————————————|———————————————| Unfair

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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]:

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Other **Important Criteria:**

The information contained in this map is readily available from multiple sources and is neither original in scope nor deployment.

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