

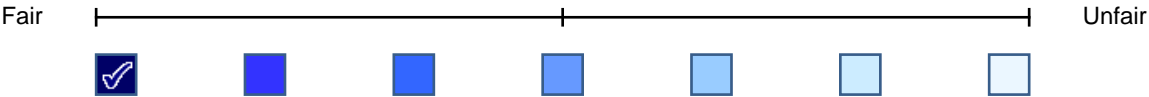
Fair Use Evaluation Documentation

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

Name:	Robert Morrison
Job Title:	Graduate Teaching Assistant
Institution:	Virginia Polytechnic Institute and State University
Title of Work Used:	China and Cybersecurity
Copyright Holder:	Oxford University Press
Publication Status:	Published
Publisher:	Oxford University Press
Place of Publication:	New York
Publication Year:	2015
Description of Work:	A comprehensive analysis of China's cyberspace threats and policies.
Date of Evaluation:	May 4, 2018
Date of Intended Use:	April 25, 2018

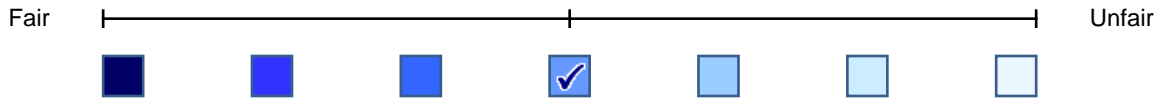
Describe the **Purpose** and Character of Your Intended Use:

- [+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"
- [+] Use is 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.
- [+] 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



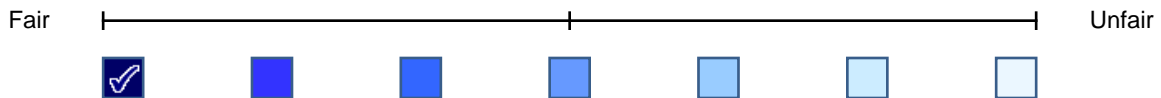
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
 [+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)
 [-] Work contains a significant amount of new knowledge, information, or creative expression
 [-] Work being used was created for and/or is being marketed for the stated purpose of the proposed use



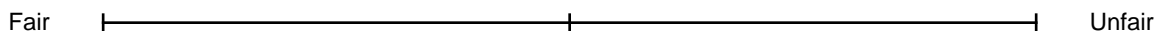
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] 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.)
 [+] 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:

[+] 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)
 [+] 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
 [-] The work already has an established market, or the clear potential for a future market as it is being used

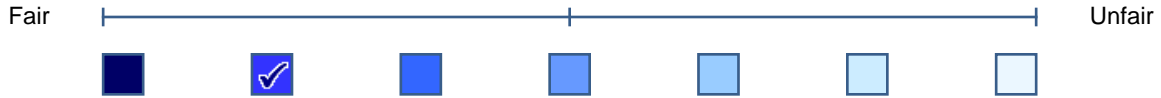




The Average **"Fairness Level,"** Based on Your Rating of Each of the 4

Factors, Is:

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



Other Important Criteria:

I am using the work as a reference for my own research and have appropriately cited all relevant sources. Additionally, I executed the appropriate steps with the copyright holder and never received a response.

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

Signature: Robert Morrison

Date of Signature: 5/4/18

****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.*