

# Fair Use Evaluation Documentation

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

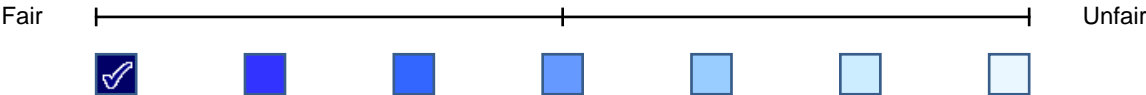
---

<b>Name:</b>	Richard C. Sobe
<b>Job Title:</b>	PhD Candidate
<b>Institution:</b>	Virginia Tech
<b>Title of Work Used:</b>	Rem, a new transcriptional activator of motility and chemotaxis in <i>Sinorhizobium meliloti</i>
<b>Copyright Holder:</b>	Rotter, Christine; MÃ¼hlbacher, Susanne; Salamon, Daniel; Schmitt, RÃ¼diger; Scharf, Birgit/American Society for Microbiology
<b>Publication Status:</b>	Published
<b>Publisher:</b>	American Society for Microbiology
<b>Place of Publication:</b>	
<b>Publication Year:</b>	2006
<b>Description of Work:</b>	This work describes the identification and characterization of a transcriptional regulator of flagellar motility in the bacterium <i>Sinorhizobium meliloti</i> .
<b>Date of Evaluation:</b>	April 24, 2022
<b>Date of Intended Use:</b>	April 24, 2022

---

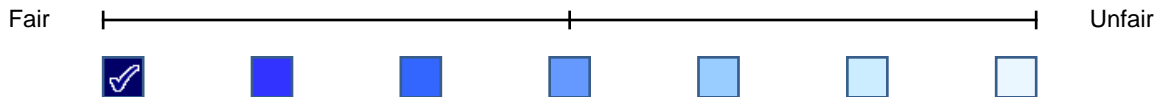
Describe the **Purpose** and Character of Your Intended Use:

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



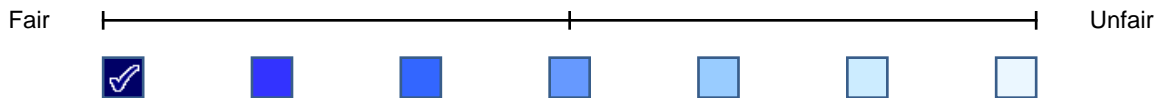
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

[+] 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



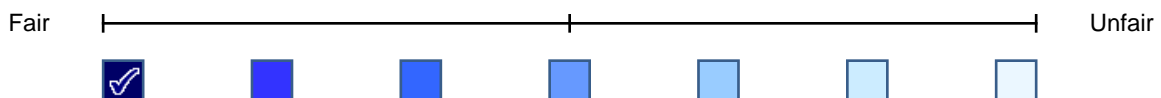
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used  
[+] 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]  
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.



Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

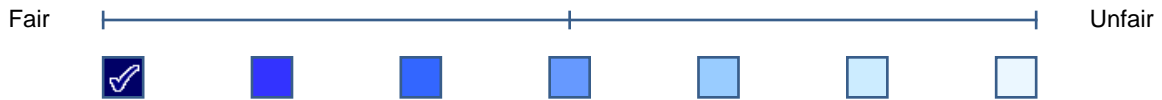
[+] The work is NOT currently under commercial exploitation (out of print, no licensing available, etc.)  
[+] A market for the work as it will be used is absent or is negligible & use of the work will have little or no negative impact on its value or potential value  
[+] Proper attribution will be given with the intended use



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

Factors, Is:

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



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.*