

# Fair Use Evaluation Documentation

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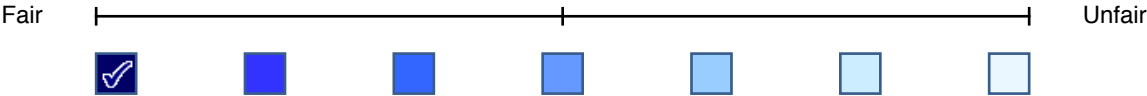
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<b>Name:</b>	Rachel Palermo
<b>Job Title:</b>	Bodies and Borders: Gendered Nationalism in Contemporary Poland
<b>Institution:</b>	Virginia Tech
<b>Title of Work Used:</b>	Polonia II
<b>Copyright Holder:</b>	Jacek Malczewski
<b>Publication Status:</b>	Published
<b>Publisher:</b>	National Museum, Warsaw
<b>Place of Publication:</b>	Warsaw
<b>Publication Year:</b>	1915
<b>Description of Work:</b>	original photograph of public domain oil on canvas artwork
<b>Date of Evaluation:</b>	June 25, 2019
<b>Date of Intended Use:</b>	June 25, 2019

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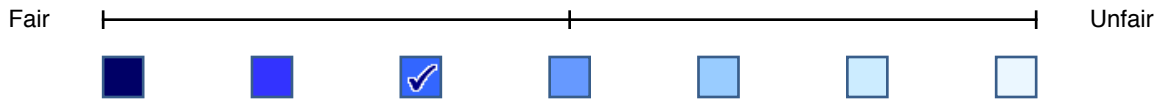
Describe the **Purpose** and Character of Your Intended Use:

[+] 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



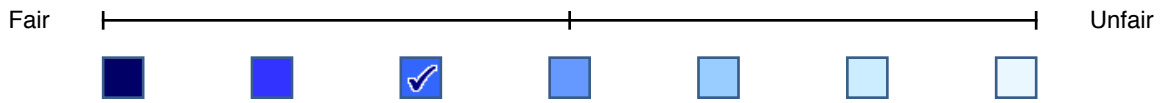
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED



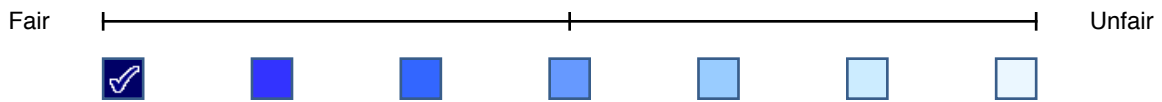
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] 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.)



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

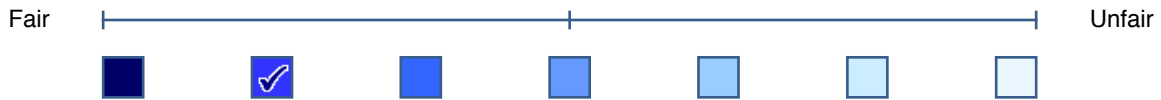
[+] The work is NOT currently under commercial exploitation (out of print, no licensing available, etc.)



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:

This is a photographic reproduction of a public domain work of art. The work of art is in the public domain because the author died in 1929, so this work is in the public domain in its country of origin and other countries and areas where the copyright term is the author's life plus 80 years or less.

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

Signature: 

Date of Signature: 06/23/2019

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