Copyright in Your Thesis or Dissertation

Using copyrighted content

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What is fair use?

Fair use is determined based on a balancing of four factors:

1. the purpose and character of the use, including whether the use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

You must conduct a fair use analysis for each individual use of copyrighted content. Some criteria that may weaken an argument for fair use include:

- Using material for purely decorative or entertainment purposes. Ensure that you are using the material to support the scholarship in your manuscript.
- Using more material than you would actually need to accomplish your purpose.
- Creating a substitute for the original work. Your manuscript will be openly available online. Will this harm the market for the original work?

RESOURCES:
OSU Graduate School: [www.gradsch.ohio-state.edu](http://www.gradsch.ohio-state.edu)
Kenneth D. Crews, "Copyright and Your Dissertation or Thesis: Ownership, Fair Use, and Your Rights and Responsibilities"
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