Copyright Decision Tree

Is the material in the public domain because copyright has expired or it is the work of the U.S. Government?

YES

No permission is needed

NO

Do you own the copyright or have you retained rights to reprint the material? See the recommended Amendment to Publication Agreement.

YES

No permission is needed

NO

Do the Libraries License the Database?

YES

No permission is needed when you provide a link to the article in the Course Management System

NO

Does Fair Use apply?

The four factors to consider are:
1) the purpose and character of the use
2) the nature of the copyrighted work
3) the amount, substantiality, or portion used
4) the effect of the use on the potential market

* information about the four factors
* a helpful checklist to determine fair use

YES

NO

Seek permission

A sample publisher permission letter and aWeb publisher permission form are available here.