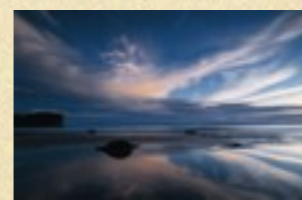


# Best Practices in Fair Use for Academic Libraries

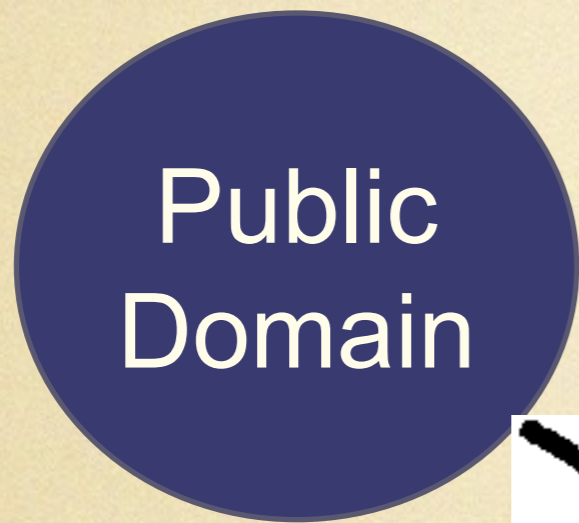
Heather Briston, JD, MSI  
UCLA Library Special Collections

# Our Current Reality



# Our Current Reality







# Fair Use

- Nature of the Work
- Effect on the market
- Purpose and Character of the Use
- Amount and Substantiality



# Challenges

# Codes - A Way of Thinking

- Risk management NOT Risk avoidance
  - Principles not rules
  - Limitations not bans
  - Reasoning not rote
  - Best practices not guidelines



# Code of Best Practices in Fair Use for Academic and Research Libraries



<http://www.arl.org/bm~doc/code-of-best-practices-fair-use.pdf>

# Useful Sections for Archivists

- 2) Exhibits - both physical and virtual
- 3) Digitization for preservation of at-risk items
- 4) Digital collections of archives and special collections

# Other Codes of Interest

- Documentary Filmmaking
- Visual Resources Association
- Dance Heritage Coalition

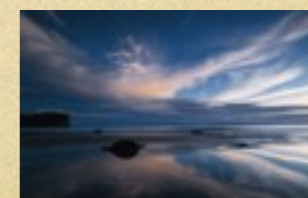
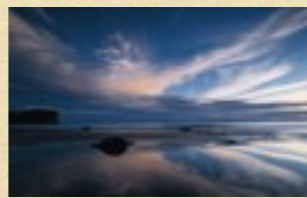
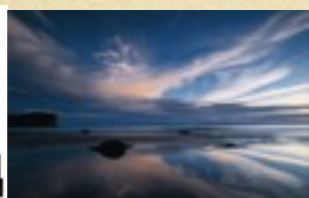


# Cautions & Pitfalls

# What Could Be



# What Could Be



- ARL Code of Best Practices

<http://www.arl.org/pp/ppcopyright/codefairuse/code/index.shtml>

## ARL-UCLA Presentation on the Code

### Part 1:

[http://www.youtube.com/watch?v=FflJnBRq-1I&feature=player\\_detailpage](http://www.youtube.com/watch?v=FflJnBRq-1I&feature=player_detailpage)

### Part 2:

[http://www.youtube.com/watch?v=8B24-nrHbx4&feature=player\\_detailpage](http://www.youtube.com/watch?v=8B24-nrHbx4&feature=player_detailpage)

## Other Codes

<http://www.centerforsocialmedia.org/fair-use/best-practices/fair-use-codes-best-practices>

<http://www.vraweb.org/organization/pdf/VRAFairUseGuidelinesFinal.pdf>

## ARL Blog Post - Brandon Butler: Should Libraries Fret about Mischievous Users?

<http://policynotes.arl.org/post/19399576582/should-libraries-fret-over-mischievous-users>