

## SIL FAIR USE GUIDELINES (abridged)

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### 1. INTRODUCTION

Fair use is a legal principle that defines the limitations on the exclusive rights of copyright holders. The purpose of these guidelines is to provide guidance on the application of fair use principles to use of portions of SIL copyrighted works.

Section 107 of the Copyright Act sets forth four fair use factors which should be considered in each instance: (1) the purpose and character of use, including whether such 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.

These guidelines apply to the use, without permission, of portions of lawfully acquired copyrighted works of SIL International.

### 2. LIMITATIONS--TIME, PORTION, COPYING AND DISTRIBUTION

#### 2.1 Time Limitations

Educational multimedia projects created for educational purposes, and for teaching courses, may use SIL incorporated material for a period of up to two years after the first instructional use with a class. Use beyond that time period, even for educational purposes, requires permission for each copyrighted portion incorporated in the production.

#### 2.2 Portion Limitations

Portion limitations mean the amount of a copyrighted work that can reasonably be used in projects under these guidelines regardless of the original medium from which the copyrighted works are taken. **In the aggregate** means the total amount of copyrighted material from a single copyrighted work that is permitted to be used in an educational multimedia project without permission under these guidelines. These limits apply cumulatively to each multimedia project(s) for the same academic semester, cycle or term.

##### 2.2.1 Motion Media

Up to 10% or 3 minutes, whichever is less, in the aggregate of a copyrighted motion media work may be reproduced or otherwise incorporated as part of a multimedia project created under these guidelines.

##### 2.2.2 Text Material

Up to 10% or 1000 words, whichever is less, in the aggregate of a copyrighted work consisting of text material may be reproduced or otherwise incorporated as part of a

project created under these guidelines. An entire poem of less than 250 words may be used, but no more than three poems by one poet or five poems by different poets from any anthology may be used. For poems of greater length, 250 words may be used but no more than three excerpts by a poet, or five excerpts by different poets from a single anthology may be used.

#### **2.2.3 Music, Lyrics, and Music Video**

Up to 10%, but in no event more than 30 seconds, of the music and lyrics from an individual musical work (or in the aggregate of extracts from an individual work), whether the musical work is embodied in copies, or audio or audiovisual works, may be reproduced or otherwise incorporated as a part of a multimedia project created. Any alterations to a musical work shall not change the basic melody or the fundamental character of the work.

#### **2.2.4 Illustrations and Photographs**

The reproduction or incorporation of photographs and illustrations is more difficult to define with regard to fair use because fair use usually precludes the use of an entire work. Under these guidelines a photograph or illustration may be used in its entirety but no more than 5 images by an artist or photographer may be reproduced or otherwise incorporated as part of an educational multimedia project created. When using photographs and illustrations from a published collective work, not more than 10% or 15 images, whichever is less, may be reproduced or otherwise incorporated as part of an educational multimedia project created.

#### **2.2.5 Maps**

Maps may be used in reports, presentations, displays, and other uses as long as they are not altered. They have "watermarks" on them to remind users that these are for private use and not for distribution to others, either as printouts or as computer files, except as noted below.

You MAY print or post copies of the JPEG versions of these maps if (1) the copyright and "watermark" are not removed, (2) the graphic is not modified, and (3) no more than three SIL JPEGs are used in any one publication or internet site. Any other use requires prior written permission from SIL International.

#### **2.2.6 Numerical Data Sets**

Up to 10% or 2500 fields or cell entries, whichever is less, from a copyrighted database or data table may be reproduced or otherwise incorporated as part of a educational multimedia project created under these guidelines. A field entry is defined as a specific item of information, such as a name or Social Security number, in a record of a database file. A cell entry is defined as the intersection where a row and a column meet on a spreadsheet.

### **3 IMPORTANT REMINDERS**

#### **Attribution and Acknowledgement**

You must credit the sources and display SIL International's copyright notice of ownership information shown in the original source. This includes all works incorporated as part of a project, including those prepared under fair use. Crediting the source must adequately identify

the source of the work, giving a full bibliographic description where available (including author, title, publisher, and place and date of publication). The copyright ownership information includes the copyright notice (©, year of first publication and name of the copyright holder).

### **Notice of Use Restrictions**

Users are advised that they must include on the opening screen of a multimedia program and any accompanying print material a notice that certain materials are included under the fair use exemption of the U.S. Copyright Law and have been prepared according to the multimedia fair use guidelines and are restricted from further use.

### **Integrity of Copyrighted Works: Alterations**

Users may make alterations in the portions of the copyrighted works they incorporate as part of an educational project **ONLY** if the alterations support specific instructional objectives. Users are advised to note that alterations have been made.

### **Reproduction or Decompilation of Copyrighted Computer Programs**

Users should be aware that reproduction or decompilation of copyrighted computer programs and portions thereof, for example the transfer of underlying code or control mechanisms, even for educational uses, **are not allowed**.

### **Licenses and Contracts**

Users should determine whether specific copyrighted works, or other data or information is subject to a license or contract. Fair use and these guidelines shall not preempt or supersede licenses and contractual obligations.