

# Fair Use Evaluation Documentation

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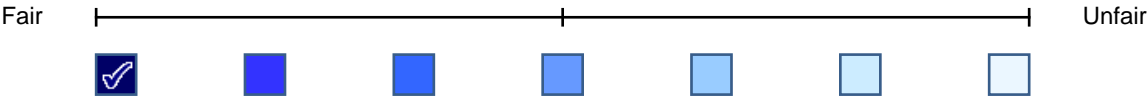
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<b>Name:</b>	Ed Farnsworth
<b>Job Title:</b>	Director
<b>Institution:</b>	Society for American Soccer History
<b>Title of Work Used:</b>	1952-53 North American Soccer Guide complete 1951-52 Records
<b>Copyright Holder:</b>	Bill Graham/William Graham
<b>Publication Status:</b>	Published
<b>Publisher:</b>	William Graham
<b>Place of Publication:</b>	Brooklyn, NY
<b>Publication Year:</b>	1952
<b>Description of Work:</b>	Annual guide of soccer activities in the United States
<b>Date of Evaluation:</b>	January 24, 2023
<b>Date of Intended Use:</b>	January 24, 2023

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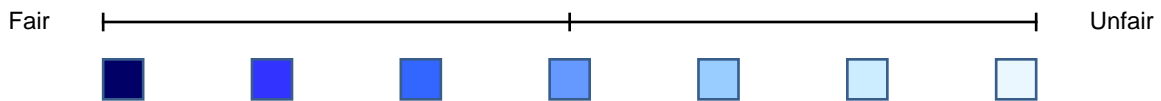
Describe the **Purpose** and Character of Your Intended Use:

Printed copies of the guide are rare. We will scan the guide and makes PDF copies available for free download on the Society for American Soccer history website in the hope of encouraging more scholarship into the time period.  
[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"  
[+] Use is transformative, i.e. it uses the existing work in a new way (creates an index to the work) or for a new purpose (parody, pastiche, instructional materials, etc.) Transformative works are favored because the purpose of U.S. Copyright Law is to encourage the development and dissemination of new knowledge to benefit the public and thereby advance learning.  
[+] Use is socially beneficial (promotes the creation of new knowledge, learning, etc.) [define how]  
[+] Use is not-for-profit



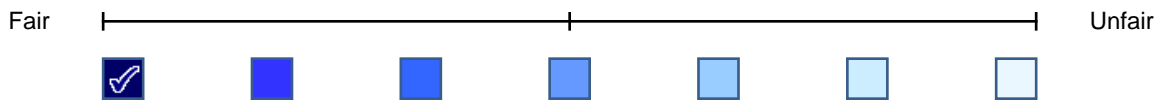
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED  
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)



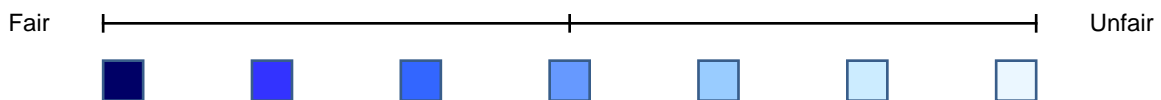
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] 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.)  
[+] The amount used falls within widely recognized fair use guidelines\* vetted by key stakeholder groups [reference guidelines]



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.)  
[+] A market for the work as it will be used is absent or is negligible & use of the work will have little or no negative impact on its value or potential value  
[+] The copyright holder cannot be identified or cannot be found after a reasonable search, or, once found does not respond (one way or another) to requests for permission to use the work  
[+] Use of the work has the potential to create or improve the market for the work  
[+] Proper attribution will be given with the intended use



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:

In addition to encouraging scholarship and advancing knowledge of the time period, our fair use of the guide will further the legacy of its creator, Bill Graham.

Based on the information and justification I have provided above, I, Ed Farnsworth, am **UNDECIDED** whether this use is fair under Section 107 of the U.S. Copyright Code.

Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

**\*Disclaimer:** This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.