

Re-envisioning Fair Use: A Critique of the Copyright Office's Circular 21 Guidelines

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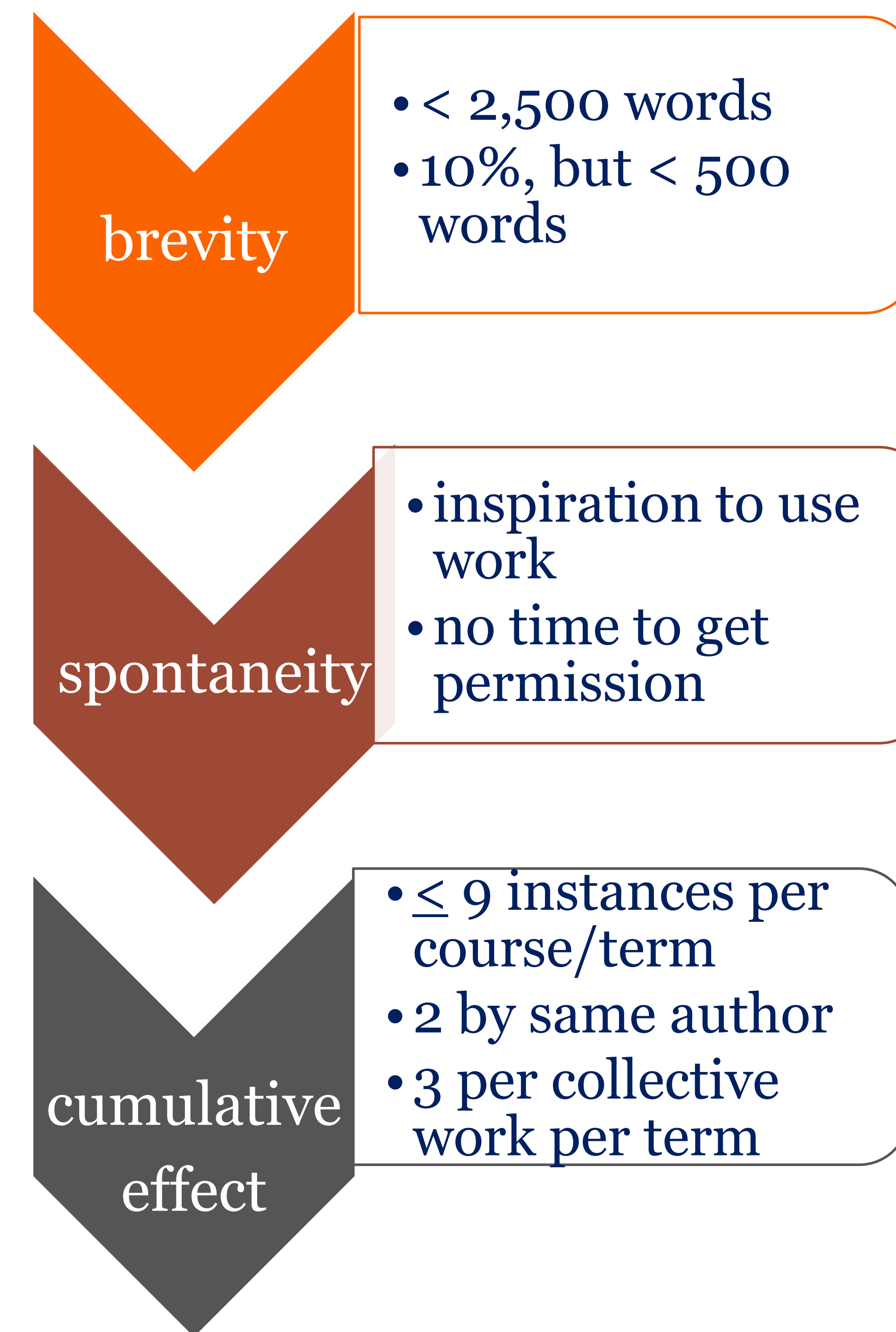
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ABSTRACT

The Copyright Office Circular 21 Guidelines are sorely outdated and **should be revised to take into account** recent, important **case law developments**.

CIRCULAR 21 GUIDELINES

Text copies for classroom use:



CIRCULAR 21 HISTORY

1976

- Copyright Act Enacted

1977

- Circular 21 Published

1978 ... 2014

- It has been “reprinted over the years with very few revisions.”

REFERENCES

- Cambridge Univ. Press v. Patton, 769 F.3d 1232 (11th Cir. 2014).
- Authors Guild, Inc. v. HathiTrust, 755 F.3d 87 (2d Cir. 2014).
- U.S. Copyright Office, *Copyright Circular 21: Reproductions of Copyrighted Works by Educators and Librarians* (2014).
- U.S. Copyright Office. “Copyright Information.” Message to Sara Benson. 21 July 2016. E-mail.

CASE LAW DEVELOPMENTS

HathiTrust case

Cambridge (GSU) case

