I want to use 6 pages from a diet book:
The rules for the diet, the foods required, and a 7-day meal plan.

**Use1:** For my class on how to eat healthy. I think this is the best diet plan and I want to teach people how to eat this way.

**Use1 is NOT fair use.**

- Even though I am using just a few pages, they are the most important parts of the book, the “heart of the work”. This is a unique diet plan, a creative work, not facts or data.
- If someone took my class on this diet, they could just use my handouts and never buy the book the class was based on. That’s not fair to the creator and can have a negative effect on the work’s value.
- A fair use should not make it unnecessary for the intended audience to purchase the work.
- The diet book needs to be a required reading/purchase for this course.

**Use2:** For my class about diet book “gimmicks” among popular diet plans. These 8 pages will be one of many examples I will use to demonstrate that popular diets all have their dieters: start the day with a hot, sour flavored drink (hot drinks make you feel full and sour flavors suppress appetite); prepare all of the food from scratch (avoiding restaurant and processed foods cuts fat, salt, and sugar dramatically); and to avoid white sugar, white flour, alcohol, saturated fats and refined oils (avoiding those foods will help you lose weight on almost any diet plan). I use the foods and eating plans from many different diets books and swap out different examples each semester.

**Use2 IS fair use.**

- The reading is being used as an example of a pattern, it is not the subject material itself.
- My intended audience for this class are marketers and social scientists. Marketers and social scientists are not the intended audience of the diet book I made use of.
- I can use other diet and eating plans to make my point about a hot, sour drink being recommended in the mornings, or to show that foods are to be made from scratch.
- Using different examples if I teach this class consecutive semesters contributes to fair use.
- In the context of Use2, the diet plans and foods are not especially unique or special, even though they may be viewed as creative works and very unique in other contexts.

**Fair use is fair: to the creator of the work and to the work’s value**