

# FAIR USE ON THE CAMPAIGN TRAIL

As election season ramps up, campaigns are using fair use to power their efforts and connect with voters every day, often without realizing it. Fair use is a key part of U.S. copyright law, allowing transformative use for creative and informative purposes, without permission.

## LET'S SEE FAIR USE ON THE CAMPAIGN TRAIL IN ACTION:

During an interview with NBC News, a campaign manager shows a quote from a major newspaper endorsing her candidate.



A campaign launches an online attack ad using clips from news coverage of the opponent's speeches and interviews to show them flip-flopping on healthcare policy.



A Saturday Night Live skit parodies a candidate's controversial ad campaign.



A press secretary goes live during a debate, quoting news reports and other sources to fact-check their opponent in real time.

A candidate's social team uses AI to insert the candidate and their opponent into an iconic movie fight scene.



A social media staffer posts a reaction video to TikTok with a screenshot of the opponent's cringe social media post from 10 years ago.



## ABOUT FAIR USE:

Fair use allows for the **use of copyrighted materials** for a *socially beneficial* and *transformative purpose* **without permission** from the copyright holder.

### Fair use is determined based on four factors:

- 1 the purpose and character of the use
- 2 the nature of the work
- 3 the amount and substantiality of the portion taken
- 4 the effect of the use on the market for the original work