

[Date]

[Client Name]

[Client Address]

[City, State, Zip Code]

Re: Legal Opinion Regarding Fair Use for News Reporting and Commentary

Dear [Client Name],

You have requested a legal opinion regarding the proposed use of [Title of Copyrighted Material] (the "Work") in your upcoming production titled "[Your Project Title]". It is my understanding that you intend to use [briefly describe the excerpt, e.g., a 30-second clip/a specific photograph] for the purposes of news reporting and critical commentary.

Analysis of Fair Use Factors

Under 17 U.S.C. § 107, the "fair use" of a copyrighted work for purposes such as criticism, comment, and news reporting is not an infringement of copyright. My analysis of the four statutory factors is as follows:

1. Purpose and Character of the Use: The use is transformative because it provides [news reporting/commentary/criticism] rather than mere reproduction. You are using the Work to illustrate a specific point regarding [topic], which serves a public interest.

2. Nature of the Copyrighted Work: The Work is [published/factual/creative]. While the Work is protected by copyright, the law allows greater leeway for fair use when the material is used in a factual or news-oriented context.

3. Amount and Substantiality of the Portion Used: You are using only [describe amount, e.g., a small fraction] of the total Work. This amount is limited to what is reasonably necessary to achieve your editorial goal.

4. Effect of the Use upon the Potential Market: Your use does not serve as a market substitute for the original Work. It is unlikely to negatively impact the copyright holder's ability to license or sell the original material.

Conclusion

Based on the foregoing analysis, it is my professional opinion that your proposed use of the Work constitutes "Fair Use" under United States copyright law. This opinion is based on the facts as you have presented them and the current state of judicial precedent.

Sincerely,

[Your Name/Law Firm Name]
[Title]