

[Date]

[Recipient Name]
[Title/Organization]
[Address Line 1]
[Address Line 2]

Re: Legal Opinion Regarding Fair Use of Audio Samples in "[Podcast Name]"

Dear [Name],

This letter provides a legal opinion regarding the proposed use of audio samples from [Source Material] within the upcoming podcast episode titled "[Episode Title]." You have requested an evaluation of whether this use qualifies as "Fair Use" under Section 107 of the U.S. Copyright Act.

Description of Proposed Use

The podcast intends to use approximately [Number] seconds of audio from [Original Creator/Work]. The sample will be used for the purpose of [Criticism / Commentary / News Reporting / Education].

Fair Use Analysis

1. Purpose and Character of the Use: The use is transformative because it [explain how the podcast adds new meaning, such as providing analytical commentary or parody]. It is not a mere substitute for the original work.

2. Nature of the Copyrighted Work: While the original work is [creative/factual], the use of the sample is necessary to provide context for the listener to understand the discussion.

3. Amount and Substantiality of the Portion Used: The portion used is limited to [Percentage/Duration] of the original work. This is the minimum amount required to achieve the transformative purpose stated above.

4. Effect of the Use Upon the Potential Market: The use of this brief sample does not serve as a market substitute for the original audio and is unlikely to cause financial harm to the copyright owner's ability to license or sell the work.

Conclusion

Based on the factors above, it is our opinion that the proposed use constitutes Fair Use. This opinion is limited to the specific facts provided and does not guarantee immunity from potential legal claims or DMCA takedown notices by the rights holder.

Sincerely,

[Your Name/Signature]

[Title]

[Law Firm/Company Name]