

Bond v. Blum,
317 F.3d 385 (4th Cir. 2003),
cert. denied 540 U.S. 820

Year	2003
Court	United States Court of Appeals for the Fourth Circuit
Key Facts	Plaintiff William Bond wrote an autobiography in which he recounted the true story of how he murdered his father. The autobiography was titled: <i>Self-Portrait of a Patricide: How I got Away with Murder</i> . Years later, when plaintiff's wife was in a child-custody battle with her former husband, the former husband introduced plaintiff's manuscript as evidence that her current home with plaintiff was not suitable for children. Plaintiff appealed the district court's ruling that the former husband's use of the manuscript as evidence in court was protected by fair use.
Issue	Whether reproducing a copyrighted manuscript to introduce as evidence in a child-custody proceeding constituted a "fair use" of the manuscript.
Holding	The court held that the former husband's use of the work was a permissible fair use. The court based its decision on its finding that the former husband's purpose for using the work was narrowly related to the manuscript's evidentiary value. The court also ruled that, by introducing the work as evidence, the former husband was relying on the "historical facts" therein, not the "mode of expression" or any other creative element. Finally, the court held that there was no evidence that admitting the manuscript into evidence would adversely affect the work's marketability.
Tags	Fourth Circuit; Textual work; Unpublished; Used in government proceeding
Outcome	Fair use found

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