

**N.Y. Times Co. v. Roxbury Data Interface, Inc.,
434 F. Supp. 217 (D.N.J. 1977)**

Year	1977
Court	United States District Court for the District of New Jersey
Key Facts	Plaintiffs, who are affiliated with and responsible for publishing <i>The New York Times</i> newspaper, annually published <i>The New York Times Index</i> (<i>Index</i>). The <i>Index</i> correlated data from <i>The New York Times</i> newspaper with citations to the pages and columns in which the data originally appeared. Defendants Roxbury Data Interface were in the process of publishing a personal name index that correlated affiliated individuals and personal names that appeared in <i>The New York Times</i> newspaper headings with citations to the pages on which the names appeared in plaintiffs' the <i>Index</i> . Plaintiffs sought a preliminary injunction enjoining defendants from publishing the personal name index.
Issue	Whether defendants' unauthorized copying of names and related data from plaintiffs' index for use in their own publication was fair use.
Holding	The court held that defendants' use of data from the <i>Index</i> in creating its own personal name index was protected by the "fair use" doctrine. In reaching its conclusion, the court determined that, though the use was for financial gain, defendants' work could potentially "save researchers a considerable amount of time and, thus, facilitate the public interest in the dissemination of information." The court also found that the <i>Index</i> was a collection of facts rather than a creative work, and that defendants did not copy the index outright, but rather extracted names and compiled their own alphabetical index. Finally, the court determined that defendants' personal name index would only have a "slight" impact on the market for plaintiffs' <i>Index</i> .
Tags	Third Circuit; Education/Scholarship/Research; Textual work
Outcome	Fair use found

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