

(Yet) Another Georgia State ruling

U.S. District Court Judge Evans issued her long awaited ruling in *Cambridge University Press, et al. v. Georgia State University*, aka the Georgia State e-reserves case. As instructed by the federal appeals court, Judge Evans re-assessed her fair ruling determinations of the 48 alleged infringements and decided that 37 were fair uses. Moreover, the existence of a licensing market was not determinative as some uses were ruled fair even when a license was available. (This is the third time Judge Evans has reviewed the fair use status of each of the excerpts GSU used. This decision is over 240 pages long!)

The 11th Circuit's rulings have not brought about a dramatic change in the way libraries provide e-reserves, both inside the 11th Circuit, were the rulings are binding precedent, or in other circuits. Instead, *Georgia State* demonstrates that fair use carefully applied can permit e-reserves. If there is no appeal, the only question remaining is entitlement for costs and attorneys' fees, which could be steep given that *Georgia State* litigation started in 2009.