



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0127  
December 6, 2024

Francesco Santora

CLAIMANT

Metro-Goldwyn-Mayer Studios, Inc. and  
Tee & Charles Addams Foundation

COUNTERCLAIMANTS

v.

Metro-Goldwyn-Mayer Studios, Inc. and  
Tee & Charles Addams Foundation

RESPONDENT

v.

Francesco Santora

COUNTERCLAIM RESPONDENT

## ORDER TO AMEND NONCOMPLIANT RESPONSE AND COUNTERCLAIM

On June 27, 2024, the Copyright Claims Board (“Board”) found the second amended claim (“Claim”) compliant and directed claimant Francesco Santora (“Claimant”) to serve the respondent Metro-Goldwyn-Mayer Studios, Inc. (“MGM”). On November 21, 2024, MGM, along with intervenor Tee & Charles Addams Foundation (together, “you”) filed a response to the Claim, in which you raised a counterclaim of infringement against Claimant.

The Board finds that the response and counterclaim do not comply with the requirements of the CASE Act and related Board regulations. You must submit an amended response and counterclaim by **January 6, 2025**. If no amended counterclaim is filed, the Board must dismiss the counterclaim without prejudice, and the proceeding will continue with Claimant’s claim. If you file an amended counterclaim, it will be reviewed for compliance and the parties will be notified if it is found compliant or noncompliant. 17 U.S.C. § 1506(f)(2).

The amended response and counterclaim must resolve the issues identified below. 37 C.F.R. § 224.1(c)(2). You may also choose to correct or edit any errors or other information in your response or counterclaim before you file again. Being specific in your description gives the other party and the Board more information about your response and counterclaim. You do not need to provide a legal argument in your counterclaim – just a statement of facts and circumstances. There is no character limit, so please be as detailed as possible.

### Pleading Form

The Board’s response form is a standardized form available on eCCB, where respondents must enter all relevant allegations. 37 C.F.R. § 222.8(a) (“each respondent shall file a response through eCCB using the response form provided by the Board”). The response must include any counterclaims. *Id.* § 222.8(b)(7). The counterclaim form is also a standardized form available on eCCB where counterclaimants must enter all relevant allegations. *Id.* § 222.9(b). Supplemental documents may be attached to the response and counterclaim as well to provide evidence, but not as a substitute for adequately filling out the response and counterclaim forms.

In lieu of using the response and counterclaim form, you uploaded a single document framed as a combined response to Claimant’s claims and a counterclaim for copyright infringement. The document appears to be patterned on a formal legal brief or memorandum that might be filed in federal court. Submitting a separate brief is not an acceptable way to plead a response and counterclaim before the Board.

When you file the amended response and counterclaim, include a statement of the relevant facts in the response form and counterclaim form. Review 37 C.F.R. §§ 222.8 and 222.9 to confirm that the filing satisfies all regulatory requirements. *See, e.g.*, 37 C.F.R. § 222.8(b)(1) (“The response shall include . . . The name and mailing address of the respondent(s)” in addition to that of counsel). If a full recitation of the facts does not fit well in the counterclaim form, you may also attach a separate document that is limited to a recitation of the relevant facts and is not in the form of a pleading or “complaint.”

### **Copyright Registration**

An infringement counterclaim must include the copyright registration number and effective date of registration for each allegedly infringed work or, if a work has not yet been registered, the service request number for a pending application to register the copyright. 37 C.F.R. § 222.9(c)(3)(ii)(C)-(D). For each work, the legal or beneficial owner of the copyright must have delivered a completed application, deposit, and the required fee for registration to the Copyright Office before the infringement claim was filed. 17 U.S.C. § 1505(a); 37 C.F.R. § 221.1(b)

You assert that Santora’s works “infringe the copyright in the ‘Wednesday’ character from *The Addams Family* franchise”; that you “own all relevant rights to the ‘Wednesday’ character”; and that you “hold copyright registrations with the U.S. Copyright Office in and to myriad works depicting the ‘Wednesday’ character” including the streaming series *Wednesday* and the films *The Addams Family* (2019) and *The Addams Family 2* (2022). In your amended counterclaim, please provide the registration number(s) for any allegedly infringed work(s) or the service request number(s) for the application(s) to register the work(s). Either the registration(s) must have been issued or the application(s) must have been delivered to the Copyright Office before you filed your counterclaim on November 21, 2024.

If you have questions, please contact [asktheboard@ccb.gov](mailto:asktheboard@ccb.gov). Include your docket number in the subject line. The Board is unable to provide legal advice. We can only provide legal information and assistance concerning Board procedures and requirements. You may also refer to the [Counterclaims](#) and [Infringement](#) chapters of the CCB Handbook for more assistance.

Copyright Claims Board