



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0206
July 19, 2024

World King LLC

CLAIMANT

v.

Parth Sompura, Wealththerapy dba
Wealtharmony

RESPONDENTS

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is amended.

If you wish to proceed with this claim, you must file an amended claim by **August 19, 2024**. If you do not, the Board must dismiss your claim without prejudice, although you may file again in the future before the Board or in federal court. If you file an amended claim and it is found compliant, you will be notified and directed to proceed with service. There is no additional filing fee for an amended claim. 17 U.S.C. § 1506(f)(1)(B).

To make your amended claim compliant, you 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 claim before you file it again. You do not need to provide a legal argument in your claim – just a statement of facts and circumstances. Being specific in your description gives the other party and the Board more information about your claim. There is no character limit, so please be as detailed as possible.

Respondent Clarity

It is unclear if you have stated a claim against the correct respondent. In your claim, you list the respondents as “Parth Sompura” and “Wealththerapy dba Wealtharmony.” It appears from the contact information included with the claim that Parth Sompura may be the owner of Wealththerapy dba Wealtharmony. However, it is unclear whether Wealththerapy or Wealtharmony are legal entities such as a corporation or a limited liability corporation, or if they are doing business as (dba) names used by Parth Sompura. Additionally, you do not provide enough information about how each respondent was separately involved in the infringement.

If “Wealththerapy dba Wealtharmony” are merely aliases for Parth Sompura and not a separate business entity (such as an LLC or corporation), please confirm that in the “Describe the infringement” section of the claim and list only Parth Sompura as a respondent. If “Wealththerapy dba Wealtharmony” is a legal entity that is incorporated or is an LLC or other distinct company, you may either list the entity as the sole respondent, or if you wish to maintain Sompura a respondent, provide further details explaining how Sompura was also involved in the infringement of your work.

Copyright Infringement — Elements

You have brought a copyright infringement claim before the Board. Your claim must make enough factual allegations to support each “element” of the claim. Information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook. The elements of a copyright infringement claim are:

1. You own a valid copyright in the work, or have been given an exclusive license to the copyright rights at issue in the work,
2. The respondent used one of your exclusive rights in the work without permission,
3. The respondent had access to your work, meaning a reasonable opportunity to view or hear your work, and
4. The respondent’s work is substantially similar to the original elements of expression in your work.

Your claim does not provide enough facts about three of the elements further described below. Please provide more details and background regarding these elements in your amended claim.

Infringing Activity — Clarity

Your claim does not clearly state how the respondent(s) used any exclusive rights you have in the allegedly infringed work without permission. Copyright law grants exclusive rights to copyright owners. These include the right to reproduce, distribute, and publicly perform the work, and to make a “derivative work,” which is a work based on the original work. Someone who does one of those activities without the copyright owner’s permission may be infringing the copyright, unless they have a legitimate defense. More information about exclusive rights is available on page 3 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

In your claim you state that “World King LLC confirmed that the immediate issues regarding the unauthorized use of our proprietary content across Wealththerapy’s various social media platforms had been resolved.” You subsequently state that “[d]espite Wealththerapy's previous compliance, they have deceptively restarted operations under the same brand name and have now rebranded to Wealthharmony.” It is unclear if you are alleging that only the infringements posted after the change to Wealthharmony are at issue in this claim or if you are including all of the alleged infringements across both Wealththerapy and Wealthharmony channels within the scope of this claim, both before and after the apparent initial resolution of the issue. In your amended claim, you must clarify the scope of the alleged infringement at issue in this claim. If you are alleging that the infringement at issue in this claim occurred across both channels, you will need to include additional information that clarifies why you believe that the infringement leading to the March 15, 2024 agreement was not resolved by that agreement and the taking down of the allegedly infringing materials.

Access

Your claim does not provide facts about how the respondent had access to your work. “Access” means a reasonable opportunity to view or hear your work before the alleged infringement took place. In your claim, you do not detail how the respondent had access to your work.

To address this issue, you must file an amended claim with allegations that make access a reasonable possibility, not just hypothetically or theoretically possible. Acceptable allegations of access may include how your work (a) was sent directly to the respondent or a close associate of the respondent; (b) was widely disseminated or was available to the respondent; or (c) is so strikingly similar to the respondent's work that the respondent could not have created it independently.

Alternatively, you can upload copies of your work and the allegedly infringing work if they demonstrate that the works are so strikingly similar that they could not have been created independently. You have included a substantial number of hyperlinks in your claim. In part because hyperlinks can lead to material that is no longer available online, the Board will not take into account material that is solely referred to in a hyperlink and not uploaded as supplemental documentation. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other.

Substantial Similarity

Your claim also does not include enough facts that explain the similarities between your work and the respondent's allegedly infringing work. If it is not readily apparent from supplemental documents that are submitted with the claim, you must provide some specific allegations about how your work and the allegedly infringing work are similar.

Your claim states that your work is a sound recording. However, you do not provide enough information describing or depicting your work. No allegations in the "Describe the infringement" field of the claim describe your work or the allegedly infringing work, or state or show how they are identical or substantially similar. In addition, you have not provided a copy of your work or the allegedly infringed work as supplemental documents. As noted above, you have included a substantial number of hyperlinks in your claim. In part because hyperlinks can lead to material that is no longer available online, the Board will not take into account material that is solely referred to in a hyperlink and not uploaded as supplemental documentation.

As a result, the claim does not provide enough information to enable the respondent to understand the claim and respond to it. When you submit an amended claim, it must include more factual allegations that support the element of substantial similarity. Please provide more details and background regarding this element in your amended claim, including a clear, detailed statement regarding which portions of your work were taken by the respondent in the allegedly infringing work, or documents that are sufficient to show the similarities. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other. More information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

Relief

It appears that you are seeking damages outside the scope of what the CCB can grant for this type of claim. In your claim you state that you are seeking damages for brand dilution, statutory damages of \$30,000, injunctive relief,

and a public apology and attribution.

The most that respondents can be ordered to pay in damages (actual or statutory) in a CCB proceeding is \$30,000. 17 U.S.C. § 1504(e)(1)(D). However, the maximum amount of statutory damages available from the CCB is \$15,000 for each work that was infringed (or \$7,500 per work in instances where the copyright was registered both after the infringement started and not within three months of your work's first publication). 17 U.S.C. §§ 1504(e)(1)(A)(ii)(I)-(II). Additionally, The Board is only authorized to grant certain kinds of relief. Unlike a federal court, the Board cannot order a respondent to stop or modify activities (sometimes called an "injunction") unless the respondent notifies the Board that, if found liable for infringement, they will stop or modify the activity. While you can state in your claim that you would like the respondents to agree to stop or modify their activities, you cannot demand it as part of your claim. The Board can also not award damages for things outside of copyright, such as brand dilution.

If you file an amended claim based on the facts alleged, try to keep your request within the scope of what the CCB can order, and do not include a request of statutory damages for more than \$15,000.

To submit an amended claim, log into your eCCB account and take the following steps:

1. From your dashboard, click the "**Amend claim**" button and select your docket number from the dropdown list.
2. Your claim will unlock for editing. The information you originally entered will appear in the same order as in your original claim.
3. Make the necessary edits. If you have filed supplemental documents, you must re-upload any documents you wish to include in the amended claim on the "**Documentation**" page. Please include only documents directly related to your claim, and label them clearly.
4. Once you have completed your edits, continue to click through the fillable claim form until you reach the "**Review**" page. The Review page includes all the information that you have provided in the claim up to this point. Carefully double-check the information on this page. If you have any corrections, you can select "**Edit**" to revise any entries necessary. Each section of information has an "**Edit**" button, which will take you back to that section so you can make changes. After you make changes, you can click "**Save & review**" to return to the Review page. Please review your claim carefully. Once you submit your amended claim, you will be unable to edit the claim while it is in compliance review.
5. Once you have completed your review and any revisions, you must confirm that the information in your claim is accurate and truthful to the best of your knowledge. To complete the declaration, type your full name into the "**Digital signature**" box near the bottom of the "**Review filing**" page and click "**Agree & submit.**"

If you have questions, please contact 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. If you would like to seek further guidance from a lawyer or a law student at reduced or no cost, please visit the [Pro Bono Assistance](#) page on ccb.gov. You may also refer to the [Compliance Review](#) chapter of the CCB Handbook for more assistance.

Copyright Claims Attorney