



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0199
June 10, 2025

Ivan Pyvovarov

CLAIMANT

v.

Bohdana Stepanenko

RESPONDENT

ORDER FINDING BAD-FAITH CONDUCT AND A PATTERN OF BAD-FAITH CONDUCT AND DISMISSING CLAIM

On December 20, 2024, the Copyright Claims Board (Board) found that Ivan Pyvovarov (Claimant) had engaged in a pattern of bad-faith conduct before the Board by filing three claims against residents of the Ukraine, though claims against respondents that do not reside in the United States are prohibited, and by providing false address information in the claims, apparently to override the Board filing system's prohibition on entering foreign addresses for respondents. *See* Order Finding Bad-Faith Conduct and a Pattern of Bad-Faith Conduct and Dismissing Claim, *Pyvovarov v. Stepanenko*, 24-CCB-0343, 24-CCB-0346 & 24-CCB-0373 (Dec. 20, 2024). The Board dismissed the three claims he had commenced and barred him from initiating any further claims before the Board in the twelve-month period from December 20, 2024 through December 19, 2025. *Id.*; *see* 37 C.F.R. § 232.4(d)(1)-(2).

Claimant violated that bar by initiating this claim five months later, on May 22, 2025, against one of the same Ukraine residents named as a respondent in the three earlier claims, again listing an invalid United States address for the respondent in the claim. On the same day, the Board issued an Order to Show Cause Regarding a Pattern of Bad-Faith Conduct (Order) in this proceeding. The Order directed Claimant to file a response by June 10, 2025, to explain why, despite the ongoing ban, "his conduct in this proceeding and in the three earlier claims does not constitute bad-faith conduct under 37 C.F.R. § 232.3 and a pattern of bad-faith conduct under 37 C.F.R. § 232.4, serving to extend the ban on him initiating claims before the Board." *Id.* at 1. To prevent further misuse of the system, the Board disabled the eCCB accounts used by Claimant to file the claim and his prior claims, and directed him to contact the Board for assistance in filing his response to the Order. *Id.*

Claimant did not file a response to the Order and did not contact the Board for permission to have his user account unlocked so he could file the response. The Order also directed Claimant to attend a virtual conference on June 10, 2025, to again explain his conduct. *Id.* at 2. The Board emailed the Order and instructions on attending the conference to the email address that Claimant provided in the claim and had linked to his user account, and to a different email address Claimant had provided the Copyright Office in applications to register the allegedly infringed works. Nevertheless, Claimant did not attend the conference.

The Board finds that Claimant initiated the claim in this proceeding with full knowledge that it flouted the twelve-month bar imposed on him in December. The Board finds that his actions in this proceeding constitute

additional instances of bad-faith conduct as defined in the Board's regulations: "Bad-faith conduct occurs when a party pursues a claim, counterclaim, or defense for a harassing or other improper purpose, or without a reasonable basis in law or fact. Such conduct includes any actions taken in support of a claim, counterclaim, or defense and may occur at any point during a proceeding before the Board, including before a proceeding becomes an active proceeding." 37 C.F.R. § 220.1(c). Under this standard, the Board finds that Claimant did not have a reasonable basis in law or in fact to initiate claims in violation of a clear Board order.

The Board determines that Claimant engaged in bad-faith conduct on multiple occasions in this proceeding and earlier proceedings, continuing and exacerbating his pattern of bad-faith conduct. As 37 C.F.R. § 232.4(d) requires, the Board dismisses this claim, closes this case, and extends the bar on Claimant initiating claims before the Board for the 12-month period beginning today, June 10, 2025, through June 9, 2026.

Claimant cannot seek relief from this Board while ignoring its rules and disobeying its orders. If the Board again receives a claim that violates or attempts to circumvent the bar on new Claimant claims, the Board will automatically close the claim and order Claimant to submit an explanation for his actions and to attend a hearing. If, as here, Claimant does not provide sufficient explanation, the Board will further extend the bar. The Board will additionally consider any and all remedies at its disposal to deter Claimant from engaging in such actions in the future.

In the claim, Claimant alleged that the respondent committed copyright infringement via listings on Etsy, and that after Claimant sent Etsy a takedown notice seeking the removal of those listings, the respondent sent a counter-notice to Etsy seeking their reinstatement. The Board is sending Etsy a copy of this order to inform Etsy that the bar on Claimant-initiated claims before the Board has been extended, so that Etsy may take into account the bar on Claimant's initiation of proceedings before the Board as it considers whether it provides a basis to avoid reinstating any material that Claimant asserts is infringing.

Copyright Claims Board