



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0386

February 25, 2025

Ugo antonio Troiano

CLAIMANT

v.

Joel Slemrod, Ellen Stuart, William Boning

RESPONDENTS

## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

The Copyright Claims Board (Board) issued orders that notified the claimant on January 6, 2025, and February 7, 2025, that the claim and amended claim, respectively, did not comply with the applicable statutory and regulatory requirements for filings before the Board. On February 12, 2024, the claimant filed a second amended claim, which was the final opportunity to file a compliant claim. 17 U.S.C. § 1506(f)(1)(B); 37 C.F.R. § 224.1(d).

A Copyright Claims Attorney reviewed the second amended claim and the attachment and determined that the infringement claim is still noncompliant because it alleges an ownership dispute as opposed to a compliant infringement claim. The second amended claim includes additional allegations relating to “interim versions of the research paper” that name claimant as co-author. Any such dispute regarding the interim versions would be incompatible with a claim of copyright infringement against the respondents, because an owner or co-owner of a copyright cannot be liable for infringement of that copyright. Further, the claimant does not include any additional specific allegations that support the element of substantial similarity in copyrightable expression in the published version of the paper. Copyright does not protect ideas although it may protect the way ideas are expressed. None of the similarities in the research proposal and the published paper that are identified appear to relate to similarities in copyrightable expression.

The Copyright Claims Attorney referred the claim to a Copyright Claims Officer to confirm that it does not comply with the applicable requirements and that this proceeding should, therefore, be dismissed without prejudice. 17 U.S.C. § 1506(f)(1)(B). The Copyright Claims Officer reviewed the second amended claim and concurs with the finding of noncompliance. For the reasons set forth, the second amended claim does not present facts sufficient to show a plausible claim of copyright infringement. Accordingly, the Board dismisses the claim without prejudice and closes this case. Dismissal without prejudice means that the allegations may be raised again by filing a new claim if there is no agreement with the respondents to the contrary.

Copyright Claims Board