



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0116  
July 30, 2024

Helen Walters

CLAIMANT

v.

Celeste Jewel LLC

RESPONDENT

## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

Claimant filed this claim with the Copyright Claims Board (Board) on April 16, 2024. On April 24, 2024, the claim was found compliant, and claimant was ordered to serve the compliance materials on respondent. On May 25, 2024, claimant filed a proof of service indicating that the compliance materials had been served on John Kim, father of the respondent's registered agent, Joshua Kim. On May 30, 2024, the Board emailed claimant and advised her that the proof of service was not valid because service on a relative of the registered agent does not constitute service on the LLC. The claimant was advised to resolve the service issue prior to the end of the service window on July 23, 2024. On July 15, 2024, the Board received an email from the respondent's registered agent, Joshua Kim, stating he had just received compliance materials from his relative as he had been out of town for an extended period of time. Respondent, through their agent, advised the Board that they wished to opt out of proceedings. Respondent advised the Board that they had not received the first page of the compliance package which included the opt-out code. The Board provided instructions for opting out of proceedings. On July 29, 2024, the Respondent submitted an opt-out notice. The Board hereby dismisses the claim without prejudice and closes case 24-CCB-0116.

A claim that is dismissed by the Board without prejudice following the submission of an opt-out notice may then be filed in federal court. However, if the claimant attempts to refile a claim with the Board against the same respondent, covering in substance the same acts and the same theories of recovery as in this proceeding, the Board will again dismiss the claim, unless the claimant can demonstrate that the respondent affirmatively agreed to have the dispute resubmitted to the Board for resolution. 37 C.F.R. § 223.1(i).

Copyright Claims Board