



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0174
May 27, 2025

Kavin C Hoo

CLAIMANT

v.

The Orchard

RESPONDENT

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 **June 26, 2025**. 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 state “Compass Productions and its assigns (Somerset, Allegro, Mood Architect, The Orchard) failed in their fiduciary duty (as bound by our contract agreement) to make royalty payments since 2016.” You further state that “Vice President Finance and Administration of Allegro Group Terri Sauer, said in her email to me dated Sept 14, 2016, stated that ‘Due to Allegro's/Somerset's inability to fulfill payment obligation, Allegro/Somerset automatically forfeit their license rights.’” However, the connection among Compass, Somerset, Allegro and the named respondent (The Orchard) is unclear, and you do not explain how The Orchard is responsible for paying royalties back to 2016. If, as you state, Allegro’s and Somerset’s rights were forfeited, it is not clear how that affects any rights that Somerset, Mood Architect or The Orchard may have had in the works at issue here.

Additionally, you have included an email from The Orchard with your claim as a supplemental document that states that, “*Our client* has confirmed that these takedowns are valid.” That statement seems to indicate that Orchard may be representing another entity and is not the entity who posted the allegedly infringing works.

To correct this issue, you must include additional allegations about how The Orchard, not another entity or individual, engaged in the allegedly infringing activities. You should be as detailed as possible, setting forth what the respondent did in relation to the works you allege was infringed. Additionally, you must provide details about the relationship among Somerset, Allegro, and The Orchard. If The Orchard did not engage in the allegedly infringing activities and is merely a representative of the alleged infringer, you should omit them as a respondent. You should not amend your claim unless you are raising it against an individual or entity residing in the United States.

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.