



# COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0046  
May 22, 2023

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Alfonso Bresciani

CLAIMANT

v.

Downtown Development District of New  
Orleans

RESPONDENT

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## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

The respondent submitted an opt-out notice for this claim within the 60-day opt-out period. 17 U.S.C. § 1506(i). However, the online opt-out form listed the attorney's name instead of the respondent's name. The Copyright Claims Board (Board) extended the opt-out period to May 30, 2023, in the interests of justice to allow respondent to submit a new opt-out form. On May 22, 2023, the respondent's attorney submitted a complete and corrected opt-out form to the Board via email. The Board dismisses the claim without prejudice and closes case 23-CCB-0046. 37 C.F.R. § 223.1(a).

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