



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0228

August 28, 2024

Alexandra Fishman

CLAIMANT

v.

Bella Lumière Photography, Riley-Peyton Priddle

RESPONDENTS

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 **September 27, 2024**. 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 respondents. In your claim, you list the respondents as “Riley-Peyton Priddle” and “Bella Lumière Photography.” It appears from the contact information and allegations included with the claim that Riley-Peyton Priddle may be the owner of Bella Lumière Photography. However, it is unclear from the information included in the claim if you are alleging that both Bella Lumière Photography and Riley-Peyton Priddle infringed your work. It appears from public records that Bella Lumière Photography may be a legal entity (known as Bella Lumière LLC, which may do business as Bella Lumière Photography) that is separate from Riley-Peyton Priddle. See the record for Bella Lumière LLC, SOS ID No. 1870607, at https://www.sosnc.gov/online_services/search/by_title/Business_Registration. You may either list the entity as the sole respondent (and if you do, you must amend the claim to list Bella Lumière Photography LLC), or if you also wish to maintain Riley-Peyton Priddle a respondent, provide further details explaining how both the entity and the individual were involved in the infringement of your work.

Relief

It appears that you are seeking a larger damages award than the CCB can grant for this type of claim. In your

claim, you request “\$30,000 in statutory damages.” The most that respondents can be ordered to pay in damages (actual or statutory) in a CCB proceeding is \$30,000. 17 U.S.C. § 1504(e)(1)(D). However, the maximum amount of statutory damages available from the CCB is \$15,000 for each work that was infringed or \$7,500 per work in instances where the copyright was registered both after the infringement started and not within three months of your work’s first publication. 17 U.S.C. §§ 1504(e)(1)(A)(ii)(I)-(II). Here, because your registration states this is an unpublished work and it appears that the registration occurred after the alleged infringement, any statutory damages that the Board could award appear to be capped at \$7,500. Please note that the Board will not consider willfulness in making an award of statutory damages. 17 U.S.C. § 1504(e)(1)(A)(ii)(III).

To address this issue, you may file an amended claim that limits the request for statutory damages to \$7,500, the amount the CCB can award. For additional information please see page 6 of [Starting an Infringement Claim](#) and the [Damages](#) Chapter of the CCB Handbook, and for general information about damages, please see ccb.gov.

Supplemental Documents

Some of the files uploaded as supplemental documents in support of your claim appear to be iPhone screenshots or “.HEIC” files. The Board is unable to review or easily convert this file type. If you file an amended claim, please ensure that any supplemental documents you choose to file are fully functional .pdf, .png, or .jpeg files. Information about adding supplemental documents to a claim is available on page 16 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

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.

Copyright Claims Board