



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0229

November 8, 2024

SCOTT J AARONSON

CLAIMANT

v.

Pixels.com, LLC

RESPONDENT

## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

On August 5, 2024, the claimant filed claim 24-CCB-0229 with the Copyright Claims Board (Board). On August 9, 2024, the Board found this claim compliant and issued a Notice of Compliance and Direction to Serve.

A claimant has 90 days after receiving the Notice of Compliance to file a proof of service or waiver of service form with the Board. 17 U.S.C. § 1506(g); 37 C.F.R. § 222.5(b)(3)(i); 37 C.F.R. § 222.5(c)(5).

On September 6, 2024, the claimant submitted a proof of non-service, stating that he attempted to serve the respondent's registered agent but was unsuccessful because the agent was not a resident at the registered address in Chicago, IL. On September 11, 2024, Board staff informed the claimant via email that the proof of non-service does not fulfill the requirement for valid service and if he intends to serve the respondent through the Illinois Secretary of State, he must adhere to Illinois service of process rules, which allow such service if the registered agent cannot be located with reasonable diligence at their registered office and principal place of business. Board staff clarified that the claimant must first attempt service at the respondent's principal place of business in California before resorting to the Illinois Secretary of State, noting that it is possible that the Secretary of State will not accept service for Copyright Claims Board matters.

On September 11, 2024, the claimant emailed for clarification, stating that he had previously attempted service at the respondent's California business address in claim 23-CCB-0334 and had filed a proof of non-service for that address. He inquired whether that previous service attempt would carry over to the current claim and whether he needed to serve the California address again. On September 17, 2024, Board staff clarified via email that proofs of service from previous claims do not transfer to new claims because the Board has issued new compliance documents that must be served on the respondent; prior service attempts were based on outdated documents related to a now-dismissed claim. The claimant was advised to follow Illinois statutory requirements for service through the Secretary of State, and if he is successful, the proof of service filed on eCCB must include detailed accounts of all prior service attempts and specify the acceptance by the Secretary of State. Board staff emphasized that the Board cannot grant exceptions or special permissions regarding service methods, as the Board is strictly governed by 17 USC § 1506(g)(4). The claimant was also reminded that the proof of service must be filed on eCCB by November 7, 2024, to avoid dismissal for failure to serve. The Board received no further communications from

the claimant.

The claimant did not file a valid proof of service or waiver of service form within 90 days. Accordingly, the Board dismisses this proceeding without prejudice and closes this case. 17 U.S.C. § 1506(v)(1). Dismissal without prejudice means the claimant may raise the allegations again by filing a new claim.

Copyright Claims Board