



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0397

January 7, 2025

Nathaniel Guidry

CLAIMANT

v.

Association for the Study of African American
Life and History and W. Marvin Dulaney

RESPONDENTS

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims 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 **February 6, 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.

Allegedly Infringed Works – Clarity

You are bringing a claim of copyright infringement. The claim must state the title of each allegedly infringed work. 37 C.F.R. § 222.2(c)(7)(ii)(A). The claim must also state the Copyright Office registration number for each work; or if it is not yet registered, the service request number of an application for registration that was submitted before the claim was filed. 37 C.F.R. § 222.2(c)(7)(ii)(C)-(D). The Board can only hear the claim if, *before* the claim was filed, (1) the legal or beneficial owner of the copyright applied to register the copyright and (2) a registration certificate for the copyrighted work has either been issued or has not been refused. 17 U.S.C. § 1505(a). Your claim includes confusing allegations identifying the allegedly infringed works, some of which appear to be unregistered.

In the “Works infringed” section of the claim, you list an allegedly infringed work titled “Thad Mosley” that you identify as “Images of international wood sculptor Thad Mosley,” registered by the Copyright Office with Registration No. VAu001485400. That registration covers a group of forty-seven photographs. You allege that five of your images appeared on the respondents’ Facebook page. A [supplemental document](#) filed with the claim shows several images of a person, apparently Thad Mosley, on that Facebook page.

However, Copyright Office records indicate that the photographs covered by the VAu001485400 registration

include only two images, titled “Thad Mosley01” and “Thad Mosley03,” that appeared on the Facebook page. If you file an amended claim, please list each allegedly infringed photograph separately in its own entry in the “Works infringed” section, including the title and all specified information requested about each photograph.

No other images shown on the Facebook page appear to be covered by the VAu001485400 registration. If you file an amended claim, you must omit any allegations that respondents infringed any works that are neither registered nor subject to a pending application for registration that was submitted before you filed this claim on December 24, 2024.

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.