



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0067

March 14, 2024

Nir Rodriguez

CLAIMANT

v.

Red's Corner LLC

RESPONDENT

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 **April 15, 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.

Infringing Activity – Clarity

Your claim includes some unclear allegations regarding the respondent's allegedly infringing activity.

Copyright law grants exclusive rights to copyright owners. These include the right to reproduce, distribute, and publicly display the work, and to make a “derivative work,” which is a work based on the original work. Someone who does one of those activities without the copyright owner's permission may be infringing the copyright, unless they have a legitimate defense. More information about exclusive rights is available on page 3 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

In the “Works infringed” section of the claim, you describe the allegedly infringed work as an “[o]rigami book with different step-by-step origami models in English,” registered by the Copyright Office with Registration No. TX0009323794. You allege that infringing acts occurred on Amazon.com. In the “Describe the infringement” section, you allege, “[m]y book is sold on Amazon exclusively and I have not granted rights to anyone to distribute my work,” and “[o]ne day while browsing amazon I saw that someone was selling the same book at a price 70% lower than mine.” You further allege that the respondent offered conflicting stories “that he had withdrawn the book and that at the same time by a mistake of his the book he was selling was another book and had no relation

with my book.” An exhibit filed with the claim, labeled [Red Corners LLC.pdf](#), appears to show the respondent’s Amazon listing of the allegedly infringing work.

However, some of your allegations in the “Description of harm suffered and relief sought” section of the claim seem to suggest that the respondent was actually selling a different work. You allege that “this company was selling another book as if it was mine as the owner confirmed by email,” and that “when someone searched for my book on amazon this person’s product was shown instead of mine,” confusing consumers and harming your reputation. Those allegations appear to contradict your allegation that respondent was “selling the same book” as yours. If the respondent marketed a book as if it was your work, but in fact sold a different book instead, then those sales would not constitute copyright infringement. However, if the respondent copied and publicly displayed the cover or the contents of your book on its Amazon listing, those acts of reproduction and public display could constitute acts of infringement of your copyright. If you submit an amended claim, it must describe the alleged infringing activity more clearly.

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 Attorney