



COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0269

September 5, 2023

Before30 and Khaled Ziadeh

CLAIMANTS

v.

Glamativity

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 **October 5, 2023**. 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.

Foreign Respondent

The Board cannot hear a claim asserted against a person or entity residing outside the United States. 17 U.S.C. § 1504(d)(4). The claim must include the respondent's address. 37 C.F.R. § 222.2(c)(6). Your allegations indicate that you have not complied with these requirements.

In the "Respondent" section of your claim, you provide a non-existent mailing address for the respondent: "N/A, N/A, CA 00000." One cannot circumvent the Board's requirements that a valid United States address be provided for each respondent in the claim form by simply choosing a U.S. state from the drop-down menu and filling in "N/A" for the address.

Furthermore, you allege that the respondent sent takedown notices to Amazon on July 7, 2023 and August 20, 2023. A document filed with the claim, labeled "[07072023 Respondent intial case.pdf](#)" appears to be a copy of the first takedown notice, in which the respondent asserted ownership of a copyrighted work with Registration Number VA0002322544. Copyright Office records for that registration indicate that the copyright claimant and author of the allegedly infringed work is a Chinese citizen domiciled in China named Guangshan Ding, with a mailing address in Fuzhou City, China.

Because the party asserting infringement against you claims ownership based on a copyright registered in China, it appears that the respondent may not be located in the United States. The Board may not hear claims against anyone who is not a United States resident. You should only amend your claim if you are raising it against an individual or entity residing in the United States for whom you can provide a valid mailing address. Because your claim is raised against a respondent that appears to be a foreign resident, we have not reviewed the remainder of your claim to determine whether it complies in other respects with the legal and formal requirements for a claim before the Board. If you submit an amended claim that resolves the foreign respondent issue and the valid United States address issue, the Board will engage in a full compliance review, so you should review the [CCB Handbook](#) and make sure the rest of your amended claim is compliant.

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.