



COPYRIGHT CLAIMS BOARD

DOCKET NO. 22-CCB-0237

Marcellus Sabra

CLAIMANT

v.

David Neff

RESPONDENT

ORDER DISMISSING CLAIM WITHOUT PREJUDICE

PLEASE READ CAREFULLY

On November 11, 2022, the claimant filed claim 22-CCB-0237 with the Copyright Claims Board (Board). On November 18, 2022, the Board found this claim compliant and filed 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).

The claimant filed a proof of service form on December 23, 2022. The proof of service stated that service was made on respondent, an individual, "by digital means/dneff21@gmail.com in accordance with the state law for serving a summons in California." The Board corresponded with the claimant by email, stating that the Board was not aware of any authority under California law permitting service of process by email or other digital means without permission of the court in advance.

On March 6, 2023, the Board issued an Order to Show Cause noting that the proof of service submitted did not appear to reflect effective service, and giving the claimant the opportunity to explain why the proceeding should not be dismissed. The Board received no new proof of service document and no response to the Order to Show Cause. Therefore, the case is dismissed without prejudice and will be closed. 17 U.S.C. § 1506(v)(1). Dismissal without prejudice means the claimant may raise the allegations again by filing a new claim.

Date: March 22, 2023

Copyright Claims Board