



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0074

March 21, 2024

Michelle Shocked

CLAIMANT

v.

John E Redstone

RESPONDENT

## ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (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 22, 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.

### Actual Claim or Controversy

You have alleged a claim of copyright infringement; however, in your claim you have included a [supplementary document](#) that shows correspondence between you and the respondent offering to waive liability. In the supplementary document, you state “[i]f you agree to participate [in a CCB proceeding], I can offer you immunity.” It is unclear from the correspondence you have included if the respondent replied to that message, whether through acceptance, rejection or otherwise, regarding the offer. If the respondent accepted your offer, you may not have a genuine legal dispute that the Board can resolve. Even if the respondent remained silent on your offer, the existence of the offer may still mean that you do not have a genuine legal dispute that the Board can resolve as, if the Board were to find the claim compliant and allow you to serve the respondent, the respondent will have technically accepted your offer by not opting out of the claim, and there will be nothing for the Board to decide. If there is no controversy for the Board to decide, your claim must be dismissed.

You should only amend your claim if you can demonstrate that the respondent rejected your offer or your offer otherwise expired. You cannot simply remove the correspondence from any amended claim you file: you must actually include additional information including if the respondent has accepted your offer, or otherwise responded

to the message in question. Please include screenshots to the extent that they are available.

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](mailto: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