



# COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0094

August 14, 2023

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Chesley K. Nelson, Hollis L. Nelson

CLAIMANT

v.

Kindle Direct Publishers of Amazon,  
Kindle Direct Publishing

RESPONDENT

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## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

The Copyright Claims Board (Board) issued orders that notified the claimant on February 28, 2023, and July 22, 2023, that the claim and amended claim, respectively, did not comply with the applicable statutory and regulatory requirements for filings before the Board. A second amended claim was filed on July 22, 2023.

To bring a copyright infringement claim before the Board, the claimant must be “the legal or beneficial owner of the exclusive right [in a copyrighted work] at the time of the infringement.” 17 U.S.C. § 1504(c)(1). However, the claim did not include specific allegations about how one of the listed claimants, Hollis Nelson, owns or has an exclusive license to use the exclusive rights at issue.

Additionally, while a self-represented claimant may be given permission by other claimants to file the claim on their behalf, each individual claimant needs to be self-represented or be represented by an attorney or law student for the rest of the proceedings. 17 U.S.C. § 1506(a)(d). In the second amended claim form, Hollis L. Nelson is still listed as the “authorized representative” for Chesley K. Nelson.

A Copyright Claims Attorney reviewed the second amended claim and determined that it cannot go forward because Hollis Nelson does not appear to have legal or beneficial ownership in the work and Chesley K. Nelson has not listed proper representation. The Copyright Claims Attorney referred this claim to me to confirm that the second amended claim does not comply with statutory requirements for a claim before the Board and that this proceeding should, therefore, be dismissed without prejudice. I have reviewed the second amended claim, and I concur with, and confirm, the finding of noncompliance.

Accordingly, the Copyright Claims Board dismisses this proceeding without prejudice and closes this case. Dismissal without prejudice means that the claimant may raise the allegations again by filing a new claim.

Copyright Claims Board