



COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0389

November 28, 2023

Ahnia Bey

CLAIMANT

v.

Silvere Bey

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 **December 28, 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.

Registration Number

You have brought a claim of copyright infringement before the Board. The claim must include the registration number of the allegedly infringed work, if it has been registered. 37 C.F.R. § 222.2(c)(7)(ii)(C).

In the “Works infringed” section of the claim, you describe the allegedly infringed work as a “book of blood and deed record and other books for the society for the Kingdom of Atmaurium.” You list its title as “Kingdom of Atmaurium” and the author as Prince Uriel Kabir de’Baier. You state that Copyright Office registered the work with an effective date of registration of July 18, 2005, and Registration No. 1252366. However, that number appears incomplete. Copyright registration numbers typically begin with a two-letter or three-letter prefix.

It appears that the correct registration number for the work is TXu 1-252-366. A supplemental document filed with the claim, with the file name “society-religious-kingdom-of-atmarium.pdf,” includes a reference to “TXU 1-252-366,” and elsewhere in the claim you refer to the work as “the txu - 262-366 work of Prince Uriel,” which is largely the same number (although it appears you mistakenly wrote 262 instead of 1-252). Copyright Office records show that Registration No. TXu 1-252-366 was issued for a textual work titled “Sovereign (royal) assent of Atmaurium: Geodetic survey and family chronicle of the Moorish empire and it’s bloodright heirs,” by the author

Khabir Uriel-Bey, effective July 18, 2005. If you file an amended claim alleging infringement of that work, include the complete registration number in the “Works infringed” section.

Legal or Beneficial Ownership

Your claim does not present facts that indicate that you are a proper claimant because it is not clear that you are a legal or beneficial owner of the allegedly infringed work.

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). A legal owner is an author of the work who owns the exclusive rights at issue or a person or entity that has received a transfer of those rights, for example, by an assignment or an exclusive license. A beneficial owner is a legal owner who has transferred the rights at issue but retains some of the advantages of ownership, such as the right to receive royalties from the use of the work. A claimant who is not an author or named copyright owner of the allegedly infringed work must provide some specific details or supplemental documents explaining how the claimant owns, or has an exclusive license to use, the exclusive rights at issue.

Registration No. TXu 1-252-366 lists Khabir Uriel-Bey as both the author and the copyright claimant for the allegedly infringed work. In the “Where the alleged infringing acts occurred” section of the claim, you refer to the work as “the txu - 262-366 work of Prince Uriel” and state that “the prince has passed away.” The claim does not present facts that indicate that you have the right to bring a claim of infringement for the work as either a legal or beneficial owner.

To correct this issue, your amended claim must include specific allegations about how you own, or have an exclusive license to use, the exclusive rights at issue. You can do this either by adding facts to the “Describe the infringement” section explaining how you were the owner of exclusive rights in the work at the time of the infringement or by submitting supplemental documents. For example, you may describe your relationship with Khabir Uriel-Bey, who is listed as the copyright owner in Copyright Office registration records, in a way sufficient to establish your legal or beneficial ownership of the copyright, or state how you otherwise obtained legal or beneficial ownership of the copyright. If the information in the claim identifying the claimant or the author of the work is inaccurate, you may correct that information in an amended claim. More information about legal and beneficial ownership is available at page 4 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

Infringing Activity

Your claim does not present enough facts to clearly state how the respondent used any exclusive rights you have in the allegedly infringed work without permission.

Copyright law grants exclusive rights to copyright owners. These include the right to reproduce, distribute, and publicly perform 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.

You appear to allege that the respondent has filed an application to register the work with the Copyright Office, “attempting to claim” ownership, though she “is not authorized to make such claims,” and that she says she has received a new copyright registration number for the work. Obtaining a copyright registration does not constitute an act of copyright infringement, even if the person who claims ownership does not own the copyright. Your claim does not illuminate how the respondent may have copied, distributed, or performed the allegedly infringed work, or made a derivative work based on that work. Your allegations do not appear to describe any infringing activity, and do not offer enough detail about the respondent using your work in a way that would infringe any exclusive rights.

The Board is only authorized to resolve certain types of copyright disputes. Three particular kinds of claims are permitted:

1. claims of copyright infringement;
2. claims seeking a declaration that activity is not infringement; and
3. claims about misrepresentations in connection with a takedown notice or counter-notice under the Digital Millennium Copyright Act (DMCA).

17 U.S.C. § 1504(c)(1)-(3). The Board cannot hear a claim that is purely an ownership dispute. Therefore, your allegations that the respondent obtained a copyright registration without authorization do not appear to be about any kind of claim that the Board could hear.

If you submit an amended claim, you must more fully explain how the respondent infringed your rights in the allegedly infringed work. To address this issue, your amended claim must include facts in the “Describe the infringement” section that describe acts infringing your copyright, specifying how the respondent engaged in the infringing activity. You should be as detailed as possible, setting forth what the respondent did in relation to the work you allege was infringed. Even if the respondent did falsely claim ownership of the work, you cannot bring a copyright infringement claim against her unless she committed an act infringing on your copyright.

Supplemental Documents

It is not clear how the three supplemental documents uploaded with your claim support or relate to a copyright claim. While the supplemental document with the file name “society-religious-kingdom-of-atmarium.pdf” mentions “TXU 1-252-366,” which appears to be the copyright registration number of the work at issue, it is not clear how the document relates to the work or to your claim. Another file uploaded with the claim, with the file name “image005.jpg,” appears to be a copy of your driver’s license. That includes your date of birth, which is considered Personally Identifiable Information (“PII”), and therefore, that filing will not be made public. *See* 37 C.F.R. § 222.19(c) (“parties must redact . . . birth dates . . . from any public filings”). The third file, with the file name “elementi back id.jpg,” also appears to be some form of personal ID card. It is not apparent how the ID cards you have submitted are relevant to your claim.

If you submit an amended claim, do not include ID cards that reveal PII. Include only documents that pertain or relate to the claim, and provide an explanation of their relevance if it is not clear.

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