



# COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0017

February 27, 2025

Troi Torain

CLAIMANT

v.

Michael Winters

RESPONDENT

## SECOND ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim, as amended, still does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is properly amended. If you wish to proceed with this claim, you must file a second amended claim by **March 31, 2025**. 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. There is no additional filing fee for an amended claim. If you file a second amended claim and it is found compliant, you will be notified and directed to proceed with service. However, if your second amended claim also is found not to comply, the Board will dismiss the proceeding without prejudice. 17 U.S.C. § 1506(f)(1)(B); 37 C.F.R. § 224.1(d).

To make your second 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.

### Allegedly Infringed Work – Clarity

Your copyright infringement claim, as amended, does not make clear which specific work or works you claim were infringed. A copyright infringement claim before the Board must include the title of each allegedly infringed work. 37 C.F.R. § 222.2(c)(7)(ii)(A). The title that you provide in the “Works infringed” section of the amended claim, “Photographs,” is not specific, and indicates that multiple photographs are at issue. However, your other allegations that discuss “the copyrighted photograph” and “the photo in question” suggest that your claim involves only one allegedly infringed photograph. You allege that Copyright Office Registration No. V Au 1-372-758 covers the allegedly infringed work or works. That registration covers a group of 57 photographs. Your allegations do not identify which of those photographs, or how many of them, the respondent used.

If you file a second amended claim, it must clearly state or show the particular work or works that you claim the respondent infringed. In the “Works infringed” section, provide a specific title for each allegedly infringed work and if there is more than one work, list each one in its own separate entry.

## Final Amendment

Your amended claim resolves some, but not all, of the compliance issues raised in the January 17, 2025 Order to Amend Noncompliant Claim. The remaining issues, also discussed in this order, must be resolved for the claim to move forward. **This is your third and final opportunity to submit a compliant claim in this proceeding. If your claim remains noncompliant, the entire proceeding will be dismissed.** 17 U.S.C. § 1506(f)(1)(B).

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.