Docket number: 25-CCB-0033

February 5, 2025

The Full Ten, LLC	V	Ashley Bautista
CLAIMANT		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 <u>March 7, 2025</u>. 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.

Respondent - Clarity

Your claim provides unclear information about who you are bringing the claim against (called a "respondent"). The only entry in the "Respondent" section of the claim names the respondent as Ashley Bautista (Bautista) and lists Bautista's alias as "YoWhoDisCalling?!" (Calling). However, a document you filed with the claim indicates that Bautista is professionally known as "Young Ash," and your allegations in the "Describe the infringement" section suggest that Bautista and Calling are different people, and that Bautista distributed the work to Calling:

The infringing party "YoWhoDisCalling?!" seems to have gotten hold of our copy written material from an artist named "Young Ash" who is currently signed to an exclusive recording agreement with The Full Ten, LLC.

Your claim leaves it unclear whether Calling is simply an alias for Bautista and, if it is not, whether you mean to bring the claim against Bautista, Calling, or both of them. If you file an amended claim, it must identify each intended respondent(s) with more clarity. If Calling is Bautista's alias, then the "Describe the infringement" section must not include allegations that Calling received the work from Bautista, and should clearly allege that they are the same person. However, if Bautista and Calling are different people, the "Respondent" section cannot list Calling as Bautista's alias. In addition, in the amended claim:

- To raise a claim against only Bautista, you must include allegations in the "Describe the infringement" section that indicate why Bautista was not authorized to distribute the allegedly infringed work.
- To raise a claim against only Calling, you must remove Bautista's name from the "Respondent" section and include Calling's real name instead, or if you do not know Calling's real name, you must check the "I only know the individual by their alias" box in the claim form.
- To raise a claim against both Bautista and Calling, you must have separate entries in the "Respondent" section for both of them, providing the information required in the claim form for each respondent.

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, <u>you must re-upload any documents you wish to include in the amended claim</u> 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 <u>asktheboard@ccb.gov</u>. 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 <u>Pro Bono Assistance</u> page on ccb.gov. You may also refer to the <u>Compliance</u> <u>Review</u> chapter of the CCB Handbook for more assistance.