



COPYRIGHT CLAIMS BOARD

Docket number: 22-CCB-0022

United States Copyright Claims Board

Joshua S. Goodrich

CLAIMANT

v.

Carter Surach, Green Line Media

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 **August 22, 2022**. If you do not, the Board must dismiss your claim without prejudice, although you may file again in the future before the CCB 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 extra 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.

Issue – Copyright Infringement Claim – Clarity

A claim is not compliant if it does not provide enough information to enable the respondent to understand the claim and respond to it. In particular, it is not clear what wrongful activity each respondent is accused of doing. Please specify how each respondent infringed your rights. Your copyright infringement claim must provide enough information for each respondent to understand what its allegedly infringing acts were.

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.

Issue – Copyright Infringement Claim – Permissible Remedies

The Board can grant only certain types of relief. In copyright infringement claims, claimants may seek damages. The maximum amount that respondents can be ordered to pay in damages in a single proceeding is \$30,000. It appears that you have requested more damages than the Board can grant.

Your claim includes as supplemental material what appears to be a copy of a demand letter you sent to the respondent dated March 20, 2021, and your claim repeats much of that letter in the “Describe the infringement” section, including an assertion that the respondent “could be liable for statutory damages as high as \$150,000 per infringing copy[.]” It is not appropriate to describe the alleged infringing acts by simply cutting and pasting that letter, because the claim may not include a claim for remedies that are not available from the CCB. The maximum statutory damages available from the CCB for infringement is “\$15,000 for each work infringed” (not “per infringing copy”); or “\$7,500 per work infringed” if the copyright was registered more than three months after publication and after the infringement started. 17 U.S.C. §§ 1504(e)(1)(A)(ii)(I)-(II). More information about damages is available at page 6 of the CCB Handbook chapter on [Starting an Infringement Claim](#) and on the [Claimant Information](#) page of ccb.gov. To address this issue, you may file an amended claim that does not allege that you are pursuing remedies from the CCB that it may not provide.

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. To edit the **“Wrongful activities”** information, click the blue bar to show the fields. To add or change factual information about your claim, add your text to the **“Describe the infringement”** section.
4. Once you have completed your edits, continue to click through the claim flow 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 CCB is unable to provide legal advice. We can only provide legal information and assistance concerning CCB procedures and requirements. You may also refer to the [Compliance Review](#) chapter of the Copyright Claims Board Handbook for more assistance.

Copyright Claims Attorney

July 21, 2022