



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0284

December 3, 2024

Dragonsteel, LLC

CLAIMANT

v.

Deniz Cinar

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 January 2, 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 amended 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.

Copyright Registration

It appears that the artwork you alleged was infringed is not covered by the registrations you provided in the amended claim. In the “Works Infringed” section of your claim, you list two literary works:

1. “Oathbringer” Registration Number: TX0008563218. Effective Date: 03/09/2018.
2. “The Way of Kings” Registration Number: TX0007287728. Effective Date: 11/15/2010.

The authorship claimed in these registrations is in “text” authored by Brandon Sanderson. As a general rule, a registration for a work of authorship covers the entire copyrightable content of the authorship that (i) is claimed in the application, (ii) is owned by the claimant, and (iii) is contained in the deposit copy(ies). COMPENDIUM (THIRD) § 504. Furthermore, registration does not protect unclaimable material, such as previously published material, previously registered material, material that is in the public domain, or copyrightable material that is owned by a third party. COMPENDIUM (THIRD) § 503.5. Neither of these registrations address the allegedly infringed

artwork. To address this issue, in your second amended claim, please provide a registration for the artwork or evidence that the artwork is covered by one of these registrations.

If the artwork is not covered by a registration, you will need to submit an application to register the artwork and refile your claim as a new claim. The Board cannot hear a claim of infringement in the artwork unless the work was registered, or a complete application to register the copyright was submitted to the Copyright Office, *before* the claim was filed on September 25, 2024. Alternatively, you may omit allegations of infringement in the artwork and proceed with infringement in the text, addressing the clarifications below.

Work Infringed - Clarity

In your amended claim, you stated that the respondent's allegedly infringing work contains artwork and text from the books "The Way of Kings" and "Oathbringer." It is unclear whether the allegedly infringing text comes from "The Way of Kings," "Oathbringer," or both. You do not include the text in your allegations and the text in the uploaded example of the allegedly infringing work is illegible. In your second amended claim, please elaborate on the text that you claim is infringing. Include details about which part of the respondent's t-shirt text is allegedly infringing, which registered work(s) it comes from, and where it appears in the work(s).

Misrepresentation Claim – Reliance by Online Service Provider

You are bringing a claim of misrepresentation in connection with a takedown notice or counter-notice under 17 U.S.C. § 512(f). That kind of misrepresentation has a very specific meaning under copyright law, which involves false statements made to an online service provider (OSP) related to a copyright-protected work posted online. Your claim must make enough factual allegations to support each "element" of the claim. The elements of misrepresentation that apply to your claim are:

1. The respondent sent an OSP a counter-notice denying the claim of infringement in a takedown notice, and claiming the online content was removed or disabled due to a mistake or a misidentification,
2. The respondent made a misrepresentation (a false or incorrect statement of fact) in the counter-notice,
3. The respondent knew the misrepresentation was false or incorrect,
4. The misrepresentation was important to the OSP's decision to repost the content, and
5. You were harmed as a result.

17 U.S.C. § 512(f). As noted in the Board's October 9, 2024 Order to Amend Noncompliant Claim, the information provided in your claim indicates that the alleged misrepresentation could not have been a factor in any decision by the OSP to repost the content because the OSP had not reposted the material at issue at the time you filed your claim.

In your claim, you stated that the counter-notice at issue was sent on September 15, 2024, and you filed your claim on September 25, 2025. The proximity of these dates suggests that the OSP may not have reinstated the material at the time you filed your claim, and there is no allegation in your claim that the OSP did repost the content. "Safe harbor" provisions in section 512 of the Copyright Act protect certain OSPs from paying damages

for infringement claims if they restore allegedly infringing material not less than ten or more than fourteen business days after receiving a proper counter-notice, unless they first receive notice of an infringement claim filed against the alleged infringer in court or before the Board. More information is available on the Copyright Office's section 512 page. If the OSP had restored the allegedly infringing material prior to the filing of your initial claim on September 25, 2025, your amended claim must state facts about that restoration. If the OSP had not restored the allegedly infringing material prior to the filing of your initial claim, you will need to remove your claim of misrepresentation, although that would not stop you from proceeding with your claim of copyright infringement.

Because you have filed a misrepresentation claim that does not appear to relate to a material misrepresentation that was important to an OSP's decision to repost the content, we have not reviewed the remainder of your misrepresentation claim to determine whether it complies in other respects with the legal and formal requirements for a claim before the Board. If you submit a second amended claim that resolves this issue, the Board will engage in a full compliance review, so you should review the CCB Handbook and make sure the rest of your second amended claim is compliant.

Final Amendment

Your amended claim did not resolve all of the compliance issues raised in the October 9, 2024, Order to Amend Noncompliant Claim. **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 a second 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 Board