



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0392

June 17, 2025

Vickie Stringer

CLAIMANT

v.

Simon and Schuster

RESPONDENT

ORDER DISMISSING CLAIM WITHOUT PREJUDICE

This claim was initially filed on December 12, 2024. On March 7, 2025, the Copyright Claims Board (Board) found the second amended claim compliant and issued a Notice of Compliance and Direction to Serve. On May 12, 2025, the claimant filed proof of service documents which indicated that a federal court action had been initiated against the respondent for the same alleged acts of copyright infringement that are the subject of this proceeding. Under the CASE Act, claims may not be simultaneously litigated before the Board and a federal court. 17 U.S.C. § 1504(d)(2)

On May 15, 2025, the Board issued an Order of Intent to Dismiss for Unsuitability (Order) noting that the Board would dismiss the claim unless the claimant filed a response requesting the Board to reconsider its determination of unsuitability by June 16, 2025. This Order explained that a response would only be appropriate if claimant could show that either the federal claim for copyright infringement against the respondent is for separate alleged acts of infringement involving different facts and circumstances not subject to this proceeding, or that the copyright infringement claim in their federal action has been withdrawn by claimant or stayed by that court. The claimant did not file such a response. As a result, the Board dismisses this proceeding without prejudice for unsuitability. 17 U.S.C. § 1506(f)(3); 37 C.F.R. § 224.2 (b)(1).

Copyright Claims Board