



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0080

April 4, 2025

Michael A Angus

CLAIMANT

v.

The Sumner M. Redstone National
Amusements Part B General Trust

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 **May 5, 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.

Proper Respondent

In a supplemental document included with your amended claim, in what seems to be an attempt to answer how the respondent infringed your work, you merely state that “The Sumner M. Redstone National Amusements Part B General Trust. Yes, the respondent used one of my exclusive rights in the work without permission.” However, you have not provided facts in the claim that indicate how the Sumner M. Redstone National Amusements Part B General Trust is a proper respondent. As noted in the Board’s March 11, 2025, Order to Amend Noncompliant Claim the connection between The Sumner M. Redstone National Amusements Part B General Trust and the creation of the allegedly infringing work is unclear. If you file a second amended claim, you must include specific information linking the Sumner M. Redstone National Amusements Part B General Trust to the creation of the allegedly infringing work or allegedly infringing activities.

Copyright Infringement — Elements

You have brought a copyright infringement claim before the Board. Your claim must make enough factual allegations to support each “element” of the claim. Information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook. The elements of a copyright infringement claim are:

1. You own a valid copyright in the work, or have been given an exclusive license to the copyright rights at issue in the work,
2. The respondent used one of your exclusive rights in the work without permission,
3. The respondent had access to your work, meaning a reasonable opportunity to view or hear your work, and
4. The respondent’s work is substantially similar to the original elements of expression in your work.

Your amended claim does not provide enough specific allegations about how the respondent had access to your work or how the creative elements in the respondent’s work are substantially similar to the creative elements in your work. Please provide more details and background regarding these elements if you file an amended claim.

Access

Your amended claim does not provide facts about how the respondent had access to your work. “Access” means a reasonable opportunity to view or hear your work before the alleged infringement took place. In your amended claim, you include a [supplementary document](#) where you state that “the respondent had access to my work online with a screenshot of my Instagram posting with tags for well known production companies.” However, you have not included any allegations that connect your use of tags on your Instagram pictures to factual allegations that the respondent viewed those pictures. Additionally, you state that “[m]y manuscript Billy & Ele Key To The Enchanted Lake was accessed by Disney on my instagram Mikeangus415 with the screenshot of the posting and date.” It is unclear how Kristen Burr and Disney are connected to the named respondent or how it is a reasonable possibility that they, if you replaced them as the respondents, accessed your work.

To address this issue, you must file an amended claim with allegations that make access a reasonable possibility, not just hypothetically or theoretically possible. Acceptable allegations of access may include how your work (a) was sent directly to the respondent or a close associate of the respondent; (b) was widely disseminated or was available to the respondent; or (c) is so strikingly similar to the respondent’s work that the respondent could not have created it independently. Alternatively, you can upload copies of your work and the allegedly infringing work if they demonstrate that the works are so strikingly similar that they could not have been created independently. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other.

Substantial Similarity

Your claim also does not include enough facts that explain the similarities between your work and the respondent’s allegedly infringing work. If it is not readily apparent from supplemental documents that are

submitted with the claim, you must provide some specific allegations about how your work and the allegedly infringing work are similar.

In your amended claim, you allege that your novel “Billy & Ele Key To The Enchanted Lake is infringed by the movie Dora the Explorer City of Gold.” Your claim includes a document titled “[Claimant Michael Angus-2](#)” that appears to compare the two works. The document contrasts scenes by using timestamps of the allegedly infringing movie without any further description of that work or how it is substantially similar to the copyrightable expression in your work. Without any additional allegations or descriptions of the two works, the Board is unable to understand the similarities between them. Further you state in “[Michael Angus Claimant-6](#)” that the respondent’s work “follow[s] idea from idea from the instagram posting, posted in the docket.” However, copyright only extends to copyrightable subject matter, and copyright law only protects the components of a work that are original elements of expression by the author, not ideas or concepts that are common or necessary to a particular subject matter, and not standard expressions that naturally follow from the idea for a work of authorship. Information about copyrightable authorship is available in Sections 302, 308, and 313 of [Chapter 300](#) of the Compendium of U.S. Copyright Office Practices, Third Edition (“Compendium”)

None of the documents included with your claim show substantial similarities between the copyrightable material in your novel and the material in the movie. If you amend your claim again, you will need to provide concrete allegations explaining how the two works are substantially similar in, for instance, the expression, dialogue, or written words contained in the works. You should not file an amended claim if only the ideas in your work and the allegedly infringing work are similar.

As a result, the claim does not provide enough information to enable the respondent to understand the claim and respond to it. If you submit a second amended claim, it must include specific factual allegations that support the element of substantial similarity. Please provide more details and background regarding this element in your amended claim, including a clear, detailed statement regarding which portions of your work were taken by the respondent in the allegedly infringing work, or documents that are sufficient to show the similarities. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other. More information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

Final Amendment

Your amended claim resolved none, of the compliance issues raised in the March 11, 2025, 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.

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