



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0219

June 12, 2025

Brittany Wright

CLAIMANT

v.

Do Hoon Lim

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 **June 14, 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. 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). If you cannot truthfully correct the errors below, you should not file an amended claim. 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 Address

Your claim must include the respondent's mailing address. 37 C.F.R. § 222.2(c)(6). In the claim form, you list 901 Cherry Ave., San Bruno, CA 94066 as the respondent's address. However, that is an address for YouTube, not for the respondent. Along with the claim, you filed copies of your email communications with YouTube about your request to remove the respondent's video; in those emails, YouTube recited that address as its own address.

If you file an amended claim, the "Respondent" section of the claim form must state the respondent's address, not an address for YouTube. Your claim indicates that YouTube sent you a copy of a counter-notice from the respondent, seeking to have the video restored; such counter-notices typically include the YouTube user's address.

Note that the respondent's address must be a United States address, as the Board cannot hear a claim asserted against a person or entity residing outside the United States. 17 U.S.C. § 1504(d)(4). You should only amend the claim if you are raising it against an individual or entity residing in the United States.

Substantial Similarity

You are raising 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 claim does not provide 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 substantially similar.

You allege infringement of a work titled “Toast Gradient,” which you describe as an “original image of toast,” and an [exhibit](#) filed with the claim appears to show a copy of your work. You allege that “a manipulated version of the [Toast Gradient] image containing numbers” has circulated online, and that the respondent’s YouTube video “simply copies the manipulated and infringing image.” However, your claim does not include an image of the “manipulated version” of your work that you allege the respondent copied, and you do not provide enough information about that version to state or show how it is substantially similar to your work. The only information you provide about the content of the allegedly infringing image is that it was manipulated, and that it contains numbers. That is not enough information for the Board to understand the extent of any similarity between your work and the “manipulated version” or the respondent’s video.

If you submit an amended claim, it must include more 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 used 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.

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, 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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