



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0392

February 11, 2025

Vickie Stringer

CLAIMANT

v.

Simon and Schuster

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 **March 13, 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.

### Statute of Limitations

You have alleged that the respondent created a number of unauthorized derivative works including large print editions, foreign translations, audio books, and box sets.

In your amended claim, you state that the infringement is ongoing and began in 2004. However, you have included a supplementary document that lists titles, ISBN numbers, and publication dates. Some of these date ranges end years ago and appear to line up with some of your infringement claims; as described below that could put at least some of your claims outside the time window for bringing a claim. It is also unclear if these publication dates indicate when the alleged infringement began. Your claim also does not discuss when you discovered the alleged infringement. If you do not allege any infringing act that occurred or was discovered in the last three years, the claim will be barred by the statute of limitations.

A “statute of limitations” is a time limit set by law for starting a claim. The statute of limitations period for copyright claims, both in federal court and the Board, is three years after the claim “accrues.” 17 U.S.C. §§ 507(b) & 1504(b)(1). A claim for copyright infringement accrues when the infringing act occurs, or when the claimant discovers, or reasonably should have discovered, the infringement. *Starz Entertainment LLC v. MGM Domestic TV Distrib., LLC*, 39 F.4th 1236, 1239-41 (9th Cir. 2022); *Motorola Solutions, Inc. v. Hytera Communications Corp., Ltd.*, 108 F.4th 458, 479 (7th Cir. 2024). A proceeding before the Board cannot be commenced more than three years after the claim accrued. 17 U.S.C. § 1504(b)(1). The Board is not permitted to waive the statute of limitations.

If you file an amended claim, it must include facts about some infringing use of your work that occurred during, or that you did not discover (and reasonably should not have discovered) until, the three-year period before you filed the claim on December 18, 2024. Additionally, especially because you list seven different works as having been infringed, you should include more detailed information about how and when you discovered each of the respondent’s allegedly infringing derivative works of the works you allege were infringed. If you choose to attach a spreadsheet similar to your amended claim, it should be clearly labeled by work infringed and infringement so that the Board and the respondent can better understand it.

## Final Amendment

Your amended claim some, but not all, of the compliance issues raised in the January 14, 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](mailto: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