



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0375

February 4, 2025

Sankar Sk

CLAIMANT

v.

Amazon Inc and Alexa

RESPONDENTS

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 6, 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 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

As the January 24, 2025 Order to Amend Noncompliant Claim (January 24 Order) explained, “A respondent in a claim before the Board must be a person or a legal entity. You have raised a claim against two respondents, Amazon Inc (Amazon) and Alexa. You have not provided facts in the claim that indicate how Alexa may be a proper respondent.” The revised “Describe the infringement” section of your amended claim seems to suggest that you meant to name only Amazon as a respondent. However, the “Respondent” section still lists Alexa as well as Amazon. If you are bringing the claim against only Amazon, then as the January 24 Order stated, “you must remove Alexa from the “Respondent” section of your amended claim, and your allegations must relate to allegedly wrongful acts by Amazon, not by ‘Alexa.’” In a second amended claim, if you do not present facts that show how “Alexa” may be a proper respondent, you must edit the “Respondent” section of the claim to remove the entry for Alexa, or the entire proceeding will be dismissed.

Copyright Registration

Your claim must include the Copyright Office registration number for your allegedly infringed work. 37 C.F.R. § 222.2(c)(7)(ii)(C). Your amended claim instead lists the service request number for the application for registration. If you file a second amended claim, list the registration number TXu002463679 in the “Works infringed” section.

You also added a copy of the certificate of registration to the docket on January 30, 2025. If you want the Board to consider the certificate as part of its compliance review, you must upload a copy and attach it to your second amended claim should you choose to file one.

Allegedly Infringing Activity

Your allegations still do not offer enough detail about how Amazon is using your work in a way that would infringe your copyright. In the “Describe the infringement” section of the amended claim, you assert that:

Amazon’s Alexa update, revealed in a Twitter post in December 2024, and its anticipated new version of Alexa, expected to launch mid-2025, built on generative AI, infringe on my copyrighted work, “Introducing Aadithya: Your family’s personal AI Assistant.” The infringing activities include:

1. AI-powered personal assistant: Amazon’s Alexa updates feature AI-driven personal assistants, similar to Aadithya.
2. Family-centric approach: Alexa’s updates focus on providing supportive and connected family ecosystems, akin to Aadithya.
3. Smart home automation: Alexa’s capabilities in smart home automation are similar to Aadithya’s features.

Those general assertions do not describe any activity that would amount to copyright infringement. Copyright protection only extends to the specific creative expression in a work that is original to the author. Information about copyrightable authorship is available in Sections 302, 308, and 313.4 of [Chapter 300](#) of the *Compendium of U.S. Copyright Office Practices, Third Edition*. Not all elements of a creative work are protected by copyright. For example, copyright law does not protect ideas, concepts, facts, systems, or methods of operation. It does not protect procedures, processes, or methods for doing, making, or building things. Copyright can only protect the particular way that such things are expressed. More information is available in [Circular 33: Works Not Protected by Copyright](#).

Your TXu002463679 registration covers the text of a three-page, written description of certain features of “an AI-powered family assistant.” As a copyright owner, you have certain exclusive rights, including the right to reproduce and distribute your textual work, and to make a “derivative work” that is based on your textual work. However, the registration is limited to the copyrightable, literary aspects of your work, because copyright law does not give you any exclusive rights in any idea, procedure, process, system, methods of operation, concept, principle, or discovery described in your work. The copyright does not give you a right to prevent others from using the ideas, concepts, principles, or discoveries described in the work, or from implementing any procedures, processes, systems, or methods of operation described in the work.

Your allegations do not describe Amazon, for example, reproducing or distributing any expressive content in your literary work, or creating a derivative work based on the expressive content in your work without permission.

Instead, you allege that Amazon’s Alexa uses certain ideas or processes described in your work, which would not be a copyright infringement. If you file a second amended claim, it must include facts that describe acts infringing your copyright, specifying how the respondent engaged in the infringing activity.

Access

As amended, your claim still does not provide facts that indicate how Amazon had access to your work. “Access” means a reasonable opportunity to see or copy your work before the alleged infringement took place. You allege that the infringement began in March 2024, and that: “Amazon had access to my work through internal means, as I had not publicly disclosed or published my work prior to Amazon’s announcements.” Nothing in the claim supports that assertion. You do not state facts that make it plausible that Amazon accessed your undisclosed, unpublished work, or was even aware of your work, while it was developing updates or new versions of Alexa. In addition, you do not explain what “internal means” the respondents could have used to access 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 available to the respondent; or (c) is so strikingly similar to the allegedly infringing works that the respondent could not have created them independently.

Alternatively, you could upload copies of your work and the allegedly infringing work(s) if they demonstrate that the expressive contents of 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 materials, they must be clearly labeled and identified so they can be properly compared to each other.

Substantial Similarity

As amended, your copyright infringement claim still does not include enough facts to indicate how any allegedly infringing work is substantially similar to original, expressive elements of your work that copyright protects. In the “Describe the infringement” section of the amended claim, you state:

The similarities between my work and Amazon’s Alexa updates are substantial and include:

1. AI-powered personal assistant
2. Family-centric approach
3. Smart home automation.

Your allegations do not identify substantial similarities that relate to copyrightable expression. You do not present facts that indicate that Amazon uses any written text from your work. As discussed above, copyright protection only extends to the specific creative expression in a work that is original to the author. While it can protect the specific way your work expresses its description of an AI-powered family assistant, it does not prevent Amazon from creating or updating its own works without using your written text. You do not clearly indicate how much written content of your work, if any, appeared in any allegedly infringing work. As a result, your amended

claim does not provide enough information for the Board to understand how any copyright-protected expression in the works is substantially similar.

If you submit a second amended claim, it must include more factual allegations that support the element of substantial similarity, including a clear, detailed statement regarding which portions of your work were used in an allegedly infringing work without authorization, or documents that are sufficient to show the similarities. If you include copies of the works at issue as supplemental materials, then they must be attached to your amended claim and clearly labeled and identified so they can be properly compared to each other.

Final Amendment

Your amended claim resolves some, but not all, of the compliance issues raised in the January 24, 2025 Order. The remaining issues, also discussed in this order, must be resolved for the claim to move forward. **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 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.

Copyright Claims Board