



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0048

February 12, 2025

Curt Gooch

CLAIMANT

v.

Richard M Egan

RESPONDENTS

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (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 **March 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\(c\)\(2\)](#). 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.

Works Infringed — Clarity

Your copyright infringement claim must provide enough information for the respondent to understand its allegedly infringing acts. A claim can be unclear if it does not include enough detail. Your claim does not provide enough information about how each of the separate works you have listed was infringed. The claim lists two works that you describe as a (1) “video of an interview” (SR “1-14713357231”) and (2) “a still image of an interview.” (SR “1-14712220510”)

A Board search of Copyright Office registration application records appears to indicate that the still image is essentially a screenshot from the video, which may not qualify for authorship at all. It is unclear from the other information included in your claim what differences, if any, exist between the still and the video. You need to clarify the nature of each work as well as what the respondent copied from each work, as well as if any new authorship in the still was infringed.

To correct this issue, please include more information in the “Describe the infringement” section of the claim describing each work and how each work was allegedly infringed. In the alternative, if only one work was infringed, you may remove the other work from the claim

Work Infringed — Registration Information

Additionally, it appears that there is a typo in the “Works infringed” section of the claim. The claim states that the SR number for the motion picture is “SR114713357231” A Board search of Copyright Office records show that the correct registration number is “1-14713347231.” To correct this issue, you should use the shortened version of the registration number.

Copyright Infringement — Substantial Similarity

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 claim does not provide enough facts about how your works and the respondent’s works are substantial similar. Please provide more details and background regarding this element in your amended claim. If it is not readily apparent from supplemental documents that are submitted with the claim, you must provide some specific allegations about how your works and the allegedly infringing works are similar.

Your claim states that your works are a “video of an interview” and a “still image of an interview.” You separately filed what appear to be copies of the original works. However, you do not provide any information describing or depicting the allegedly infringing works. No allegations in the “Describe the infringement” field of the claim describe the allegedly infringing works, or state or show how they are identical or substantially similar to your works. In addition, you have not provided copies of your works or the allegedly infringing works as supplemental documents.

As a result, the claim does not provide enough information to enable the respondent to understand the claim and respond to it. When you submit an amended claim, it must include additional 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 works were taken by the respondent in the allegedly infringing works, 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.

Request for Leave to Amend

On January 31, 2025, you filed a request for leave to amend the claim. Your request seeks to amend the date of the alleged infringement. When you amend your claim, you are free to revise any aspect of the claim including the date of infringement.

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.