



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0049

March 3, 2025

Susan James

CLAIMANT

v.

Curtis Shaw

RESPONDENT

ORDER DISMISSING CLAIM WITHOUT PREJUDICE

This claim must be dismissed because the Copyright Office refused to register the allegedly infringed works.

The Copyright Claims Board (Board) can only hear a copyright infringement claim if the Copyright Office either issued a registration certificate for the allegedly infringed works or has not refused the claimant's application to register the works. 17 U.S.C. § 1505(a)(2). The claimant filed this copyright infringement claim on January 31, 2025. The claim described the allegedly infringed works as social media posts the claimant had posted on TikTok. The claim cited Service Request number 1-14720320791 for a Copyright Office application to register the works. That "GRTX application" sought registration of the works as a group of short online literary works. On February 3, 2025, pursuant to 37 C.F.R. § 221.1(b), the Board placed the claim in abeyance pending the outcome of the application. On February 24, 2025, the Copyright Office issued a letter refusing registration for the work because "[t]he GRTX application cannot be used to register works that were first published as sound recordings, audiovisual works, or motion pictures."

The Board must dismiss the proceeding without prejudice when it learns that the application to register the allegedly infringed works has been refused. 17 U.S.C. § 1505(b)(3) & 37 C.F.R. § 221.1(b). Therefore, the Copyright Claims Board dismisses this proceeding without prejudice and closes this case. Dismissal without prejudice means that the claimant may raise the allegations again by filing a new claim supported by new, pending applications for registration or by valid copyright registrations for each work.

Copyright Claims Board