



# COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0086

March 31, 2023

Samuel M. Sherman

CLAIMANT

v.

Cheesy Flicks Entertainment Inc,  
Cheezy Movies,  
Mainsail LLC, dba: Shoreline Entertainment

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 **May 1, 2023**. 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.

### Respondent Information

Your claim contains the same respondent, “Mainsail LLC, dba: Shoreline Entertainment” (with minor punctuation differences) twice. Although you give different email address for each entry, that respondent should only be entered once. Please review the “Respondent Information” field and ensure that the respondent is listed just once with the correct contact information.

### Legal or Beneficial Ownership

To bring a copyright infringement claim before the Board, the claimant must be “the legal or beneficial owner of the exclusive right [in a copyrighted work] at the time of the infringement.” 17 U.S.C. § 1504(c)(1). A legal owner is an author of the work who owns the exclusive rights at issue or a person or entity that has received a transfer of those rights, for example, by an assignment or an exclusive license. A beneficial owner is a legal owner who has transferred the rights at issue but retains some of the advantages of ownership, such as the right to receive royalties from the use of the work. A claimant who is not an author or named copyright owner of the allegedly infringed

work must provide some specific details or supplemental documents explaining how the claimant owns, or has an exclusive license to use, the exclusive rights at issue. More information about legal and beneficial ownership is available at page 4 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

The registration included with your claim (“PA0000385916”) lists Independent-International Pictures Corp. as author and copyright claimant of the works. In correspondence with the Board, it was indicated that Samuel Sherman is President of Independent-International Pictures Corp. and wished to represent the corporation in his capacity as president. However, you were informed that the claimant must be the legal or beneficial owner of the exclusive rights at issue at the time of the infringement. If a business or organization is the legal or beneficial owner of the exclusive rights at issue, the name and contact information of the business itself must be listed in the claimant field. A business or organization may be represented in CCB proceedings by an owner, partner, officer, or member of the business or organization, or an authorized employee of the business or organization, 37 C.F.R. § 232.6, but the representative is not the same as the claimant. To correct this issue, please amend the claim and select "organization" for the "Is the claimant an individual or organization," provide the correct identifying information of the organization, and you will then be prompted to enter the appropriate information for the authorized representative.

In the alternative, if Samuel Sherman obtained ownership of work or the exclusive rights allegedly infringed, you will need to provide additional information in the “Describe the infringement” section of the claim describing the transfer of legal or beneficial ownership of the work to Samuel Sherman.

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 supplementary 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 Attorney