



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0036

March 19, 2024

Flat Tire US, LLC

CLAIMANT

v.

Jessica L Munoz

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 **April 18, 2024**. 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.

Respondent Clarity

It is unclear if you have stated a claim against the correct respondent. In your claim you list the respondent as Jessica Munoz and you state that “Jessica Munoz operates the business at [mobiletirexpress247.com](#) hereinafter referred to as MTS[.] The company's business phone number provides an SMS link to a picture of the vehicle's license plate that is registered to Jessica Munoz in the State of Tennessee.” However, you do not provide enough information about MTS or Jessica Munoz and do not explain why you think Munoz was involved in the infringement. The fact that there is a link to a picture of license plate registered to Munoz does not show that Munoz was involved in the infringement of your work, and you do not provide any additional information about why you think Jessica Munoz operates the business.

In your amended claim, please clarify whether MTS is a legal entity such as a corporation or a limited liability corporation, or if it a doing business as (dba) name used by Munoz. If it is a dba, please confirm that in the

“Describe the infringement” section of the claim and list Jessica Munoz as a respondent. If it is a legal entity that is incorporated or an LLC, you may either list the entity as the sole respondent, or if you wish to maintain Munoz a respondent, provide further details explaining how Munoz was involved in the infringement of your work.

Final Amendment

Your amended claim resolved some, but not all, of the compliance issues raised in the February 25, 2024, 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. 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.

