



COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0277

October 18, 2023

Camila Turati

CLAIMANT

v.

Mariana McLennan

RESPONDENT

ORDER DISMISSING CLAIM AND FINDING ORDER TO SHOW CAUSE MOOT

On September 15, 2023, the Copyright Claims Board (Board) issued an Order to Amend Noncompliant Claim notifying the claimant that the claim did not comply with the requirements of the CASE Act and related regulations and would be dismissed unless an amended claim was filed by October 16, 2023. 37 C.F.R. § 224.1(c)(2).

No amended claim was filed in the time allowed. Accordingly, the Board dismisses this proceeding without prejudice and closes case 23-CCB-0277. 17 U.S.C. § 1506(f)(1)(B).

Dismissal without prejudice means that any allegations that are not barred may be raised again by filing a new claim, unless there is an agreement with the respondent to the contrary. However, as noted in the Order to Amend Noncompliant Claim, and based on communications from the claimant to the Board, it appears that the respondent is located in Canada, not in the United States. The Board cannot hear a claim asserted against a person or entity residing outside the United States. 17 U.S.C. § 1504(d)(4). A claim against a foreign resident may be viable in federal court, but not before the Board.

The Board also issued an Order to Show Cause on September 15, 2023; and issued an Order Scheduling Conference related to the Order to Show Cause on October 4, 2023. Because the Board is dismissing the claim based on the failure to file an amended claim, the Board need not take any action on the Order to Show Cause because it is moot. Therefore, the Board cancels the conference set in the Order Scheduling Conference.

Copyright Claims Board