



COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0208

DATE

Deborah L Miller

CLAIMANT

v.

Jeremy Hauk

RESPONDENT

ORDER DISMISSING CLAIM

The Copyright Claims Board (Board) issued orders that notified the claimant on July 24, 2024, and August 9, 2024, that the claim and amended claim, respectively, did not comply with the applicable statutory and regulatory requirements for filings before the Board. On August 30, 2024, the claimant filed a second amended claim, which was the final opportunity to file a compliant claim. 17 U.S.C. § 1506(f)(1)(B); 37 C.F.R. § 224.1(d).

A Copyright Claims Attorney reviewed the second amended claim and concluded that the claim does not include a complete application for registration and thus remains noncompliant. The pending application for registration listed in the first amended claim and referenced by name in the second amended claim (“SR 1-14036330111”) is incomplete. The Board can only hear a copyright infringement claim if, before the claim was filed, (1) the Copyright Office issued a registration certificate for the copyrighted work or (2) the legal or beneficial owner of the copyright applied to register the copyright by delivering a completed application, deposit, and fee to the Copyright Office, and the Copyright Office has not refused the application. 17 U.S.C. § 1505(a). A Board search of Copyright Office records indicates that the required registration fee submitted on July 12, 2024, was not honored. The Copyright Office sent a letter to you on July 23, 2024, with information about your failed payment.

The Copyright Claims Attorney referred the second amended claim to a Copyright Claims Officer to confirm that it does not comply with the applicable statutory and regulatory requirements, and that this proceeding should therefore be dismissed without prejudice. 17 U.S.C. § 1506(f)(1)(B). The Copyright Claims Officer has reviewed the second amended claim and concurs with the finding of noncompliance.

For the reasons set forth, the second amended claim does not present a claim that the Board can hear. Accordingly, the Board dismisses the claim without prejudice and closes this case. Dismissal without prejudice means that the allegations may be raised again by filing a new claim if there is no agreement with the respondents to the contrary.

Copyright Claims Board