



# COPYRIGHT CLAIMS BOARD

DOCKET NO. 22-CCB-0258

SEANJARI PREET WOMB HEALING

CLAIMANT

V.

YOUTUBE/GOOGLE

RESPONDENT

## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

PLEASE READ CAREFULLY

The Copyright Claims Board (Board) issued orders that notified the claimant on December 16, 2022 and February 9, 2023 that the claim and amended claim, respectively, did not comply with the applicable statutory and regulatory requirements for filings before the Board.

A Copyright Claims Attorney reviewed the second amended claim and concluded that the claim does not present a permissible claim that the Board can hear and does not include a valid registration or pending application with the United States Copyright Office. 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). Further, the claim did not include any clear allegations of a copyright infringement claim including any allegations about how the respondent had access to the allegedly infringed work or any allegations describing the substantial similarity between the claimant's work and the allegedly infringing work. Lastly, the second amended claim fails to describe the allegedly infringing activity and to respond to the online service provider issues raised in the Second Order to Amend Noncompliant Claim.

The misrepresentation claim is similarly noncompliant. To violate section 512(f), a statement must misrepresent "that material or activity is infringing, or . . . that material or activity was removed or disabled by mistake or misidentification." 17 U.S.C. § 512(f)(1)-(2). The claimant does not allege that the respondent sent a false takedown notice or counternotice to an online service provider.

The Copyright Claims Attorney referred this claim to me to confirm that the second amended claim does not comply with the applicable statutory and regulatory requirements, and that this proceeding should, therefore, be dismissed without prejudice. I have reviewed the second amended claim, and I concur with, and confirm, the finding of noncompliance.

Accordingly, 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 a valid copyright registration or pending application for registration.

Date: March 13, 2023  
Copyright Claims Board