



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0089
June 3, 2024

Lauren S. Chalas

CLAIMANT

v.

Forager Vintage LLC

RESPONDENT

ORDER DISMISSING CLAIM

The Copyright Claims Board issued orders that notified the claimant on March 25, 2023 and May 1, 2024 that the claim and amended claim, respectively, did not comply with the applicable statutory and regulatory requirements for filings before the Board. On May 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 determined that the infringement claim is still noncompliant because it fails to show that the allegedly infringing work is substantially similar to expressive, protectible elements of the claimant's work. In addition, the second amended claim adds a second allegedly infringed work that cannot be the basis of this claim, because the application to register the copyright was submitted on May 30, 2024, months after this claim was filed on March 15, 2024. 17 U.S.C. § 1505(a). The Copyright Claims Attorney referred the claim to a Copyright Claims Officer to confirm that it does not comply with the applicable requirements and that this proceeding should, therefore, be dismissed without prejudice. 17 U.S.C. § 1506(f)(1)(B). The Copyright Claims Officer reviewed the second amended claim and concurs with the finding of noncompliance.

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