



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0145
May 17, 2024

Yellow Pages Photos, Inc

CLAIMANT

v.

A-1 Advantage Asphalt, Inc

RESPONDENT

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board finds that your claim does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is amended.

If you wish to proceed with this claim, you must file an amended claim by **June 17, 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. If you file an amended claim and it is found compliant, you will be notified and directed to proceed with service. There is no additional filing fee for an amended claim. 17 U.S.C. § 1506(f)(1)(B).

To make your 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 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.

Impermissible Claim

The Board is only authorized to resolve certain types of copyright disputes. Three particular kinds of claims are permitted: (1) claims of copyright infringement, (2) claims seeking a declaration that activity is not infringement; and (3) claims of misrepresentation in connection with a takedown notice or counter-notice under 17 U.S.C. § 512(f). 17 U.S.C. § 1504(c)(1)-(3). You have stated a claim of copyright infringement, which is a claim the Board may hear.

However, in the “Describe the infringement” section of your claim and the supplemental document filed with the claim, you also allege that the respondent violated provisions of the Digital Millennium Copyright Act related to false or removed copyright management information (“CMI”), citing 17 U.S.C. §§ 1201-1205. Claims of misattribution of copyright management information under section 1202 are not subject to determination by the Board. 17 U.S.C. § 1504(d). To correct this issue, if you file an amended claim, you must omit your allegations that the respondent violated the Digital Millennium Copyright Act, removed, altered, and provided false CMI, and made false claims of authorship and ownership.

To submit an 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.

Copyright Claims Attorney