



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0128  
May 10, 2024

Corey Logan

CLAIMANT

v.

Gamble Huff Productions, Gamble Huff Music  
Publishing LLC, Gamble-Huff Entertainment LLC,  
and Assorted Music Inc.

RESPONDENTS

## 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 10, 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.

### Permissible Claim

The Board is only authorized to resolve certain types of copyright disputes. 17 U.S.C. § 1504(c)(1)-(3). You checked the boxes on the claim form to state that your claims are for copyright infringement and misrepresentation under 17 U.S.C. § 512, which are types of claims that the Board can address. However, your allegations appear to describe a dispute over employment practices or breach of contract, not a copyright infringement or a section 512 misrepresentation.

You allege that the respondents were your employers from 1990 to the present, and that they failed to make guaranteed minimum payments or royalty payments to you as required under the agreement. A breach of contract is a violation of any of the agreed-upon terms and conditions of a binding contract. If a party to a contract does not fulfill an obligation stated in the contract, such as payment, it is typically considered a breach of contract. The Board is not authorized to hear claims for breach of contract. 17 U.S.C. § 1504(d)(1). You suggest that what was not fulfilled by respondents was a “condition precedent” to the contract such that there was no license granted, and therefore perhaps this is not a breach of contract claim, but you do not say what the condition precedent was, or

how it was violated. Your claim also refers to conversion, fraudulent inducement, fraudulent concealment, labor laws, RICO, and other kinds of claims that the Board cannot address.

Please review [Circular 1: Copyright Basics](#) and the [Introduction](#) chapter in the CCB Handbook for more information about copyright and the kinds of disputes that the Board can hear. You should only file an amended claim if you can state facts to support a claim under copyright law that can be heard by the Board. For more information about what is required to support a claim of infringement or misrepresentation, please refer to the CCB Handbook chapters on [Starting an Infringement Claim](#) and [Starting a Misrepresentation Claim](#).

### **Allegedly Infringed Works**

An infringement claim must, for each allegedly infringed work, identify the category or describe the nature of the work. 37 C.F.R. § 222.2(c)(7)(ii)(E). The “Works infringed” section of your claim includes conflicting information about two of the works, “Major Grooves” and “Super Tight.” You list the type of work for each work as “Sound recordings,” but you describe those two works as musical compositions. The copyright registrations that you identify for those two works cover only musical works or compositions, not sound recordings. If you file an amended claim, change the type of work to “Musical works” for both “Major Grooves” and “Super Tight.”

### **Infringing Activity**

Your claim does not present enough facts to clearly state how the respondents used any exclusive rights you have in the allegedly infringed works without permission.

Copyright law grants exclusive rights to copyright owners. These include the right to reproduce, distribute, and publicly perform the work, and to make a “derivative work,” which is a work based on the original work. Someone who does one of those activities without the copyright owner’s permission may be infringing the copyright, unless they have a legitimate defense. More information about exclusive rights is available on page 3 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

You list twelve sound recordings or musical compositions in the “Works infringed” section, and you allege that they “were entrusted to respondents based upon contractual promises, then infringed collectively by respondents,” despite “the promise to pay and compensate copyright holder for usages of works.” However, you do not offer any supporting details about the respondents using your works in a way that would infringe any exclusive rights. Your claim does not contain allegations that, without permission, the respondents copied, distributed, or performed your sound recordings or musical compositions, or prepared any works based on them.

You allege that your “songs and ballads have been distributed worldwide on all streaming platforms including Spotify, Apple Music, YouTube, and all major web platforms,” but you do not specifically allege or show that any respondent distributed any of the allegedly infringed works. Instead, supplemental documents filed with the claim appear to describe a failure to promote or market you or your works, which is not an infringing use. You also allege that “respondents are in illegal possession of copyrighted material owed to claimant,” and a supplemental document filed with the claim appears to be a copy of a 2022 letter from your counsel addressed to certain respondents,

demanding the return of master recordings of the allegedly infringed works. However, a failure to return a copy of a work is not an infringing act that would provide a basis to hold any respondent liable for infringement.

If you submit an amended claim, it must include details that show or explain how the respondents infringed your allegedly infringed works. To address this issue, your amended claim must include facts in the “Describe the infringement” section that describe acts infringing your copyrights, specifying how each respondent engaged in the infringing activity. Be as detailed as possible, setting forth what each respondent did in relation to each work you allege was infringed.

## **Misrepresentation**

You are bringing a claim of misrepresentation in connection with a takedown notice or counter-notice under 17 U.S.C. § 512(f). That kind of misrepresentation has a very specific meaning under copyright law, which involves false statements made to an online service provider (OSP) related to a copyright-protected work posted online. To violate section 512(f), the respondent must have made a false statement to an OSP in a takedown notice claiming online content or activity was infringing, or in a counter-notice denying infringement and claiming the online content was removed or disabled due to a mistake or a misidentification.

Your misrepresentation allegations do not describe a section 512 takedown notice or counter-notice, or any section 512(f) misrepresentation. Your allegations relate to correspondence between your counsel and the respondents’ legal counsel, not any notices sent to an OSP related to copyright-protected work. Without such allegations, your misrepresentation claim cannot go forward. If you cannot state facts to support the elements of a section 512 misrepresentation claim, you must omit it from any amended claim.

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](mailto: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