



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0080

March 11, 2025

Michael A Angus

CLAIMANT

v.

The Sumner M. Redstone National Amusements
Part B General Trust

RESPONDENT

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (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 **April 10, 2025**. 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.

Proper Respondent

You have not provided facts in the claim that indicate how the Sumner M. Redstone National Amusements Part B General Trust is a proper respondent. In your claim, the connection between The Sumner M. Redstone National Amusements Part B General Trust and the creation of the infringing work is unclear. If you file an amended claim, you must include specific information linking the Sumner M. Redstone National Amusements Part B General Trust to the creation of the allegedly infringing work or allegedly infringing activities.

Copyright Infringement — Elements

You have brought a copyright infringement claim before the Board. Your claim must make enough factual allegations to support each “element” of the claim. Information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook. The elements of a copyright infringement claim are:

1. You own a valid copyright in the work, or have been given an exclusive license to the copyright rights at issue in the work,
2. The respondent used one of your exclusive rights in the work without permission,

3. The respondent had access to your work, meaning a reasonable opportunity to view or hear your work, and
4. The respondent's work is substantially similar to the original elements of expression in your work.

Your claim does not provide enough specific allegations about how the respondent had access to your work or how the creative elements in the respondent's work are substantially similar to the creative elements in your work. Please provide more details and background regarding these elements in your amended claim.

Access

Your claim does not provide facts about how the respondent had access to your work. "Access" means a reasonable opportunity to view or hear your work before the alleged infringement took place. In your claim, you include a [supplementary document](#) that states that you "posted manuscripts or intellectual property on Instagram circa 2017-2019." However, you have not included any allegations that indicate that the work was widely disseminated or how this particular respondent accessed your work.

To address this issue, you must file an amended claim with allegations that make access a reasonable possibility, not just hypothetically or theoretically possible. Acceptable allegations of access may include how your work (a) was sent directly to the respondent or a close associate of the respondent; (b) was widely disseminated or was available to the respondent; or (c) is so strikingly similar to the respondent's work that the respondent could not have created it independently. Alternatively, you can upload copies of your work and the allegedly infringing work if they demonstrate that the works are so strikingly similar that they could not have been created independently. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other.

Substantial Similarity

In your amended claim, you allege that your novel "Billy & Ele Key To The Enchanted Lake" ("Key to the Enchanted Lake") is infringed by the movie "Dora the Explorer City of Gold"" ("City of Gold"). In your claim, you state that "images from Dora and the City of Gold have with the thoughts I came up with that were produced on my then Instagram Mikeangus415 from since have been mysteriously deleted from online." It is hard for the Board to understand what this means. However, your amended claim also does not clearly identify enough substantial similarity between original elements of expressive material in "Key to the Enchanted Lake" that copyright protects that were copied in City of Gold. Copyright law protects original elements of expression, not ideas that are common or necessary to a particular genre. If it is not readily apparent from supplemental documents that are submitted with the claim that *specific* and substantial creative expression was copied in City of Gold, you must provide more detailed specific allegations about how your work and the allegedly infringing work are substantially similar.

Your claim includes a document titled "[Claimant Michael Angus](#)" that appears to compare the two works. Although the document contrasts scenes (including timestamps) in "City of Gold" and "Key to the Enchanted Lake," it shows only similarities in general ideas. In the supplementary document, you list plot elements that the

works have in common such as “[i]t was treasure from a lost fallen kingdom.” These are common elements found in works about searching for lost treasure, and copyright does not protect stock characters, settings, and events that are common to a particular subject matter. For more information on this concept, known as *scènes à faire*, please see [Section 313.4\(I\)](#) in Chapter 300 of the Compendium of U.S. Copyright Office Practices, Third Edition. The document does not show substantial similarities between the copyrightable material in your novel and the material in the movie. If you amend your claim, you will need to provide concrete allegations explaining how the two works are substantially similar in, for instance, the expression, dialogue, or written words contained in the works.

As a result, the claim does not provide enough information to enable the respondent to understand the claim and respond to it. If you submit an amended claim, it must include specific factual allegations that support the element of substantial similarity. Please provide more details and background regarding this element in your amended claim, including a clear, detailed statement regarding which portions of your work were taken by the respondent in the allegedly infringing work, or documents that are sufficient to show the similarities. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other. More information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

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.

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