



COPYRIGHT CLAIMS BOARD

DOCKET NO. 22-CCB-0210

shawn Brown

CLAIMANT

V.

YOUTUBE

RESPONDENT

ORDER DISMISSING CLAIM WITHOUT PREJUDICE

PLEASE READ CAREFULLY

On [October 19, 2022](#) and [November 28, 2022](#), the Copyright Claims Board (Board) issued orders that notified the claimant that the claim and amended claim filed in this proceeding 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 not present enough facts to support any of the elements of a copyright infringement claim including clarity of legal or beneficial ownership of the work at issue. To bring a copyright infringement claim before the Board, the claimant must be “the legal or beneficial owner of the exclusive right [in a copyrighted work] at the time of the infringement[.]” 17 U.S.C. § 1504(c)(1). Further, the claim did not include 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 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: February 1, 2023
Copyright Claims Officer