



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0181
June 6, 2025

Brainista, Inc.

CLAIMANT

v.

Amalasym LLC

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 **July 7, 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.

Copyright Registration

The Copyright Claims Board (Board) can only hear a copyright infringement claim if the Copyright Office either issued a registration certificate for the allegedly infringed works or has not refused the claimant's application to register the works. 17 U.S.C. § 1505(a)(2). You filed this copyright infringement claim on May 13, 2025, alleging infringement of two works: one titled "Yerba Magic Original," which the Copyright Office has registered, and one titled "Brainista Yerba Magic 2." The claim cited Service Request number 1-14720320791 for a Copyright Office application to register "Brainista Yerba Magic 2." On May 27, 2025, pursuant to 37 C.F.R. § 221.1(b), the Board placed the claim in abeyance pending the outcome of that application. On June 4, 2025, the Copyright Office issued a letter refusing registration for the work in that application because it did not "contain copyrightable differences" from another work, titled "Brainista Yerba Magic Bag 2," for which the Copyright Office issued you Registration No. VA0002445985 with an effective date of registration of February 7, 2025.

This claim cannot go forward based on infringement of the "Brainista Yerba Magic 2" work identified in the refused 1-14720320791 application. If you file an amended claim, it must omit that work. Your infringement claim

in this proceeding may only be based on works for which you applied for registration *before* filing the claim on May 13, 2025, and for which registration has not been refused. 17 U.S.C. § 1505(a).

Proper Respondent

Your copyright infringement claim does not include enough information or clarity about any allegedly infringing acts committed specifically by the named respondent Amalasyam LLC (Amalasyam). You allege: “The infringing acts occur online, via the reproduction of the copyrighted works in various product images on tryerab.co.uk, and with each physical bag of yerba mate that bears the copyrighted works as its product packaging.” However, the claim does not state or show that Amalasyam has any relationship with tryerab.co.uk. No allegations describe Amalasyam committing an infringing act and no supplemental documents mention Amalasyam. The claim only mentions Amalasyam in the section naming the respondent. As a result, the claim does not make clear why Amalasyam is a proper respondent. If you file an amended claim, it must include facts that indicate how the named respondent Amalasyam is responsible for the alleged infringement of your work, including a description of any relationship between Amalasyam and the allegedly infringing acts on the website. Alternatively, you may name a different respondent in an amended claim, stating sufficient facts to indicate why that respondent is a proper respondent.

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 Board