



COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0223
June 29, 2023

finixio Ltd

CLAIMANT

v.

Cryptoticker.io GmbH

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 **July 31, 2023**. 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.

Foreign Respondent

The Board cannot hear a claim asserted against a person or entity residing outside the United States. 17 U.S.C. § 1504(d)(4). The claim must include the respondent's mailing address. 37 C.F.R. § 222.2(c)(6).

Information provided in the claim indicates that the respondent is a foreign entity. The respondent is an organization named Cryptoticker.io GmbH. "GmbH, or Gesellschaft mit beschränkter Haftung, is German for 'company with limited liability.'" *Plixer Int'l v. Scrutinizer GmbH*, 905 F.3d 1, 4 n.1 (1st Cir. 2018) (citing *TMT North Am., Inc. v. Magic Touch GmbH*, 124 F.3d 876, 879 n.1 (7th Cir. 1997)). The mailing address you provided for the respondent is Unter den Linden 24, Berlin, GA 10117. That street address is in German; Berlin is the capital of Germany; and in the United States, zip codes that begin with a "101" are located in New York, not Georgia. In addition, in the "Describe the content of the counter-notice" section of the claim, you appear to provide the content of a counter-notice that you allege the respondent submitted to Google. The counter-notice is written in German, provides contact information for the respondent in Berlin, Germany, and states that the "Land Ihres Wohnsitzes" (country of residence) is Germany. Thus, it appears that the Board cannot hear your claim because the respondent appears to be a foreign resident.

Because your claim is raised against a respondent that appears to be a foreign resident, we have not reviewed the remainder of your claim to determine whether it complies in other respects with the legal and formal requirements for a claim before the Board. If you submit an amended claim that resolves the registration and foreign respondent issues, the Board will engage in a full compliance review, so you should review the [CCB Handbook](#) and make sure the rest of your amended claim is compliant.

If the respondent does not reside in the United States, the Board cannot hear the claim. You should only amend your claim if you are raising it against an individual or entity residing in the United States.

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.