



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0312

December 23, 2024

Bryan Essing

CLAIMANT

v.

Diego D Castillos

RESPONDENT

## SECOND ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim, as amended, still does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is properly amended.

If you wish to proceed with this claim, you must file a second amended claim by **January 22, 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. There is no additional filing fee for an amended claim. If you file a second amended claim and it is found compliant, you will be notified and directed to proceed with service. However, if your second amended claim also is found not to comply, the Board will dismiss the proceeding without prejudice. 17 U.S.C. § 1506(f)(1)(B); [37 C.F.R. § 224.1\(d\)](#).

To make your second 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 amended 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.

### Work Infringed — Clarity

Your copyright infringement claim must provide enough information for the respondent to identify the work you claim has been infringed. In your claim you appear to list two works in the “Works infringed” section of the amended claim “FIGHT” and “WAR NERVE FIGHT, #'s 2, 3, 4, 5, and 6.” A review of Copyright Office records shows that the registration number provided corresponds to a group registration that includes six works. In the “Describe the infringement” section of the claim you state that “Diego directly stole my written song, FIGHT, added vocals, and posted it.” It is unclear if you are alleging infringement of the musical composition of one work, two works, or all six works.

Please clarify which works are subject to your claim by listing each one separately in the “Works infringed” section of the claim. If you are alleging that the respondent infringed the musical composition of “FIGHT” you should delete the entry for “WAR NERVE FIGHT #'s 2, 3, 4, 5, and 6.” On the other hand, if you are alleging

more than one has been infringed you should provide the title, author, registration number, and work of authorship category for each song that is involved in the claim. You should also add some clarifying information to the “Describe the infringement” section of the claim about how the respondent infringed the composition of each work you allege was infringed.

## Final Amendment

Your amended claim resolved some, but not all, of the compliance issues raised in the November 20, 2024, Order to Amend Noncompliant Claim. **This is your third and final opportunity to submit a compliant claim in this proceeding. If your claim remains noncompliant, the entire proceeding will be dismissed.** 17 U.S.C. § 1506(f)(1)(B).

To submit a second 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.