



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0057
March 12, 2024

Danielle Robertson

CLAIMANT

v.

Nicole Johnson

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 11, 2024**. 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.

Allegedly Infringed Work

You allege that the respondent infringed your copyright in a sound recording titled “Dani Montana (Instrumental)” by livestreaming it on her YouTube channel, and that “YouTube’s content ID system alerted me to the presence of my music in her videos.” You add that respondent “used screen sharing on StreamYard to display my videos directly from my YouTube channel,” “directly playing my content, as it is, from my YouTube channel,” and engaged in “excessive use of my videos,” which “prominently feature my copyrighted music in the background.” Your references to “my content” and “my videos” make it unclear if you are raising a claim of infringement of other works in addition to “Dani Montana (Instrumental).”

In your amended claim, you must list each work that you want the Board to decide was infringed in the “Works infringed” section. If you allege infringement of any other work, you must have obtained, or submitted a complete application for, registration of its copyright before you filed this claim on February 24, 2024. 17 U.S.C. § 1505(a).

Misrepresentation Harm

You also allege that the respondent made a misrepresentation to YouTube by falsely asserting ownership of your intellectual property in a February 23, 2024 counter-notice. Misrepresentation claims brought before the

Board must include “a statement describing the harm suffered by the claimant(s) as a result of the alleged activity.” 37 C.F.R. § 222.2(c)(10). Your claim does not describe any harm you have suffered from the alleged misrepresentation in addition to the harm you describe from the alleged infringement. If you file an amended claim, include a statement about how the alleged misrepresentation harmed or injured you, in the “Description of harm suffered and relief sought” section for the misrepresentation claim.

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 Attorney