



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0190

August 28, 2024

Gadzhi Makulevskii

CLAIMANT

v.

AINYROSE

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 **September 27, 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. 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.

Respondent Clarity

It is unclear if you have stated a claim against the correct respondent. In your amended claim, you have amended the respondent from “Yiwu Feihong Trade Co.,Ltd” to “AINYROSE.” However, it appears that “AINYROSE” may be a brand name rather than an individual or legal entity. When filing a claim, you must identify the individuals or entities that can be served, or formally notified of a claim. In your claim, you state that “[t]he counter notice submitted is provided below for your records” as Attachment D. As mentioned below, some of the files uploaded as a supplemental document in support of your claim appear to be mislabeled and a counternotice was not included in your supplementary documentation.

To correct this issue, please provide the correct name and address for the respondent. You should only amend your claim if you are raising it against an individual or entity residing in the United States.

Respondent Contact Information

As noted in the Board's July 12, 2024 Order to Amend Noncompliant Claim your claim provides contact information for the respondent including an email address and mailing address for the respondent at "Robinson Law PLLC." To assert a claim before the Board you must include the respondent's contact information including their mailing address. **To address this issue, your amended claim must include a mailing address for the respondent itself.** The address must be a United States address of the respondent as the CCB may not hear claims against persons who reside outside the United States. 17 U.S.C. § 1504(d)(4).

Supplementary Documentation

Some of the files uploaded as a supplemental document in support of your claim appear to be mislabeled. If you file an amended claim, please ensure that any supplemental documents you choose to file are fully functional and properly labeled. Information about adding supplemental documents to a claim is available on page 16 of the Starting an Infringement Claim chapter of the CCB Handbook.

Final Amendment

Your amended claim resolved some, but not all, of the compliance issues raised in the July 12, 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. 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