



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0012

February 25, 2025

Axelsson Fun Factory LLC

CLAIMANT

v.

Amazon, SHEN ZHEN SHI QI YU FEI KE

RESPONDENTS

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 **March 27, 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.

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). In your amended claim, you name “SHEN ZHEN SHI QI YU FEI KE JI YOU XIAN GONG SI” (SHEN ZHEN SHI QI) as a respondent and include an address for the respondent in Atlanta, Georgia. However, you further state that “[t]he seller has made a counterclaim to my copyright infringement notice, but since the seller is Chinese based I am filing suit on the US based Amazon whom is responsible for hosting the content.” In addition, the fourth supplemental document that you attach to your claim indicates that respondent has an address in China. Because it appears that the respondent does not reside in the United States, the Board is not authorized to the claim against SHEN ZHEN SHI QI. In order to correct this issue, you should remove SHEN ZHEN SHI QI as a respondent.

Infringing Activity — Amazon

Your claim does not present enough facts to clearly state how Amazon used any exclusive rights you have in the allegedly infringed work without permission. Copyright law grants exclusive rights to copyright owners. These include the right to reproduce, distribute, and publicly display the work, and to make a “derivative work,” which is a work based on the original work. Someone who does one of those activities without the copyright owner’s permission may be infringing the copyright, unless they have a legitimate defense. More information about exclusive rights is available on page 3 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

In your claim you assert that “Amazon is acting as more than an OSP in this case as they are not only fulfilling these orders but the infringing materials are in the A+ content of the listing which goes through a separate review process by Amazon before being published.” It appears as though you are alleging that Amazon is directly infringing your work. However, the allegations included in your amended claim do not appear to describe any infringing activity, and do not offer enough detail about how the respondent used your work in a way that would infringe any of your exclusive rights. Reviewing material to be posted is generally not considered copyright infringement.

In order for your claim to proceed, you must state additional facts that show how Amazon engaged in infringing activity (such as copying, distributing, or displaying your work) on its own, rather than on the basis of reviewing allegedly infringing material posted on its website by SHEN ZHEN SHI QI.

To address this issue, your amended claim must include facts in the “Describe the infringement” section that describe acts infringing your copyrights, specifying how the respondent engaged in the infringing activity. You should be as detailed as possible, setting forth what the respondent did in relation to the work you allege was infringed.

Final Amendment

Your amended claim resolved none of the compliance issues raised in the January 30, 2025, 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 Board