



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0375

January 24, 2025

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CLAIMANT

v.

Amazon Inc and Alexa

RESPONDENTS

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 **February 24, 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. 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.

Proper Respondent

A respondent in a claim before the Board must be a person or a legal entity. You have raised a claim against two respondents, Amazon Inc (Amazon) and Alexa. You have not provided facts in the claim that indicate how Alexa may be a proper respondent. While you list Alexa as an “organization,” your allegations about “Amazon’s Alexa” seem to relate to an Amazon app or device, not to a separate business entity like a corporation, company, or partnership.

If your allegations about Alexa relate to a particular business entity other than Amazon, you must include clearer information about that entity in your amended claim, including its full name and address in the “Respondent” section of the claim. Otherwise, you must remove Alexa from the “Respondent” section of your amended claim, and your allegations must relate to allegedly wrongful acts by Amazon, not by “Alexa.” If there is another entity or individual that infringed your work, you may add them as a respondent but you must also specify the infringing acts taken by that particular respondent.

Allegedly Infringed Work – Clarity

You have raised a copyright infringement claim. The claim must state the Copyright Office registration number

and effective date of registration for the allegedly infringed work, if the registration has issued, or the service request number of a pending application for registration if it has not issued. 37 C.F.R. § 222.2(c)(7)(ii)(C)-(D). When you filed the claim, you provided the service request number for a pending application for registration. That registration has since issued. When you file an amended claim, in the “Works infringed” section, answer “Yes” to the question, “Has the work been registered by the Copyright Office?” and provide the TXu002463679 registration number and the November 25, 2024 effective date of registration.

In addition, in the “Works infringed” section of your claim, you identified the “Type of work” as “Software.” However, the deposit copy of the work registered by the Copyright Office is not software; it is a three-page textual description of “an AI-powered family assistant.” You filed a copy of that description on the docket the day after filing this claim. Because the registered work is a literary work, not software, when you file an amended claim, you must change the identification of the “Type of work” to “Literary.”

Allegedly Infringing Activity

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.

Your allegations do not offer enough detail about a respondent using your work in a way that would infringe your exclusive rights. In the “Describe the infringement” section of the claim, you include general assertions that Amazon’s Alexa reproduced, distributed, or created derivative works based on your work without permission. You also assert that the infringement began on March 12, 2024. However, you do not provide sufficient facts to support those bare assertions. Without more specifics, those bare allegations do not provide sufficient details for Amazon to understand what its allegedly infringing acts were.

If you submit an amended claim, you must include more details about the allegedly infringing activity, such as when and how it occurred, what infringing work or works were created, and where those works were distributed. Include facts in the “Describe the infringement” section that describe acts infringing your copyright, specifying how the respondent(s) engaged in the infringing activity. You should be as detailed as possible, setting forth what each respondent did in relation to the work you allege was infringed.

Access

Your claim does not provide facts that indicate how Amazon (or Alexa) had access to your works. “Access” means a reasonable opportunity to see or copy your work before the alleged infringement took place.

To address this issue, you must file an amended claim with allegations that make access a reasonable possibility, not just hypothetically or theoretically possible. Acceptable allegations of access may include how your work (a) was sent directly to the respondent(s), or a close associate of the respondent(s); (b) was widely disseminated or available

to the respondent(s); or (c) is so strikingly similar to the allegedly infringing works that the respondent(s) could not have created them independently. Alternatively, you could upload copies of your work and the allegedly infringing work(s) if they demonstrate that the works are so strikingly similar that they could not have been created independently. If you include copies of the works at issue as supplemental materials, they must be clearly labeled and identified so they can be properly compared to each other.

Substantial Similarity

Your claim also does not include enough facts that explain the similarities between your work and any allegedly infringing work. If it is not readily apparent from supplemental documents submitted with the claim, you must provide specific allegations about how your work and the allegedly infringing work are substantially similar.

Your claim does not provide enough information describing your work or the allegedly infringing work. You list your work in the “Works infringed” section titled “Introducing Aadithya : Your familys personal AI Assistant,” and a document filed on the docket with the same title appears to be a copy of that work. However, you do not describe any allegedly infringing work, or include it as a supplemental document, and you do not clearly indicate how much of your work appeared in any allegedly infringing work. As a result, the claim does not provide enough information for the Board to understand the similarity of the works.

If you submit an amended claim, it must include more factual allegations that support the element of substantial similarity. Please provide more details and background regarding this element in your amended claim, including a clear, detailed statement regarding which portions of your work was used in an allegedly infringing work without authorization, or documents that are sufficient to show the similarities. If you include copies of the works at issue as supplemental materials, then they must be attached to your amended claim and clearly labeled and identified so they can be properly compared to each other.

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 Board