



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0222
December 2, 2024

INSTNCT GmbH

CLAIMANT

v.

Wally's Automotive Group

RESPONDENT

ORDER DISMISSING CLAIM WITHOUT PREJUDICE

On July 31, 2024, the claimant filed claim 24-CCB-0222 with the Copyright Claims Board (Board). On August 9, 2024, the Board found this claim compliant and issued a Notice of Compliance and Direction to Serve.

A claimant has 90 days after receiving the Notice of Compliance to file a proof of service or waiver of service form with the Board. 17 U.S.C. § 1506(g); 37 C.F.R. § 222.5(b)(3)(i); 37 C.F.R. § 222.5(c)(5).

On September 25, 2024, the claimant filed a proof of waiver form. However, the proof of waiver was not sufficiently completed as it was missing the printed name and address of the respondent. On September 30, 2024, the Board emailed the claimant advising them of the incomplete waiver of service form. The Board also requested clarification on the type of entity the respondent is. The Board received no response from the claimant. On November 15, 2024, the Board emailed the claimant again giving them one last opportunity to file a corrected proof of waiver form by November 29, 2024. The Board received no response from the claimant and a corrected proof of waiver was not filed by the deadline.

Therefore, the claimant did not file a valid proof of service or waiver of service form within 90 days. Accordingly, the Board dismisses this proceeding without prejudice and closes this case. 17 U.S.C. § 1506(v)(1). Dismissal without prejudice means the claimant may raise the allegations again by filing a new claim.

Copyright Claims Board