



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0156
May 9, 2025

Nathan Janusz

CLAIMANT

v.

Ubale Ritesh

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 **June 9, 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.

Copyright Infringement — Elements

You have brought a copyright infringement claim before the Board. Your claim must make enough factual allegations to support each “element” of the claim. Information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook. The elements of a copyright infringement claim are:

1. You own a valid copyright in the work, or have been given an exclusive license to the copyright rights at issue in the work,
2. The respondent used one of your exclusive rights in the work without permission,
3. The respondent had access to your work, meaning a reasonable opportunity to view or hear your work, and
4. The respondent’s work is substantially similar to the original elements of expression in your work.

Your claim does not provide enough facts about your ownership of the work, how the respondent used your work without your permission, or how the respondent had access to your work. Please provide more details and background regarding these elements in your amended claim.

Legal or Beneficial Ownership

Your claim provides unclear information about the claimant's status as a legal or beneficial owner of the allegedly infringed work. To bring a copyright infringement claim before the Board, the claimant must be “the legal or beneficial owner of the exclusive right [in a copyrighted work] at the time of the infringement.” 17 U.S.C. § 1504(c)(1). A legal owner is an author of the work who owns the exclusive rights at issue or a person or entity that has received a transfer of those rights, for example, by an assignment or an exclusive license. A beneficial owner is a legal owner who has transferred the rights at issue but retains some of the advantages of ownership, such as the right to receive royalties from the use of the work. A claimant who is not an author or named copyright owner of the allegedly infringed work must provide some specific details or supplemental documents explaining how the claimant owns, or has an exclusive license to use, the work at issue.

The claim does not present facts that indicate that Nathan Janusz is a proper claimant. As noted above, a claimant, who is not an author or named copyright owner of the allegedly infringed work, must provide some specific details or supplemental documents explaining how the claimant owns, or has an exclusive license to use, the exclusive rights at issue. A Board search of Copyright Office records indicates that “Docu-Sodes” is listed as author and copyright claimant in the pending application for the work.

To correct this issue, your amended claim must include specific allegations about how the claimant owns, or has an exclusive license to use, the work at issue. You can do this either by adding facts to the “Describe the infringement” section explaining how the claimant was the owner of exclusive rights in the work at the time of the infringement or by submitting supplemental documents. For example, you may describe the relationship between you and Docu-Sodes or detail how the claimant obtained legal or beneficial ownership of copyright. If the information in the claim identifying the claimant or the author of the work is inaccurate, you may correct that information in an amended claim. More information about legal and beneficial ownership is available at page 4 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

Infringing Activity

Your claim also does not present enough facts to clearly state how the respondent 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 state that “[t]he video was uploaded on March 29th to my own youtube channel and set to private with a scheduled released date on May 12th.” You further state that respondent’s counternotice stated that “[t]he video was uploaded with the permission of my client, who owns the original content.” It appears that you are alleging that the respondent reposted your unpublished video in full; however, you have not provided any facts or

supplemental documents in your claim supporting this allegation. In addition, it is not clear what the relationship is, if any, between or among you, Docu-sodes, the editor, the respondent and “Azan” (who is referred to in your claim) and which parties allegedly infringed your work.

If you submit an amended claim, you must more fully explain how the respondent infringed your allegedly infringed work. 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.

Access

Your claim does not provide facts about how the respondent had access to your work. “Access” means a reasonable opportunity to view or hear your work before the alleged infringement took place. In your claim, you appear to allege that the respondent reposted your unpublished video; however, you do not provide any detail about how the respondent had access to an unpublished video.

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 or a close associate of the respondent; (b) was widely disseminated or was reasonably available to the respondent; or (c) is so strikingly similar to the respondent’s work that the respondent could not have created it independently. Alternatively, you can upload copies of your work and the allegedly infringing work 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 documents, they must be clearly labeled and identified so they can be properly compared to each other.

Copyright Infringement Claim — Online Service Provider

In your responses to certain yes/no questions on the claim form, you allege that the respondent is an online service provider and that you sent the respondent a takedown notice to remove material posted by a third-party. In this context, an “online service provider” or OSP is a provider of online services to store (and make available), refer to, provide access to, or link to material that is available online. Online service providers include content-sharing websites and internet search engines, among other services. You also answered “no” to the question, “Did the online service provider fail to expeditiously remove or disable access to the material after you sent a takedown notice?” Special rules apply to infringement claims brought against OSPs where the claim does not involve direct infringement, but the storage, hosting, referral, or linking to infringing material posted by others. In many cases, OSPs are not liable for such claims because of protections found in section 512 of the Copyright Act.

It appears that your answers to these questions may be a mistake, particularly the first question where you answered “yes” to whether the respondent is an OSP. In your claim, you do not include any allegations that the **respondent** was acting as an OSP. If you are not alleging that the respondent is an OSP and that you sent the

respondent a takedown notice to remove material posted by a third-party, then you should answer “no” to the question, “Are any of the respondents online service providers?”

If, on the other hand, you maintain that the respondent is acting as an OSP, that you sent the respondent a takedown notice about infringement by a third party, and that the respondent did not promptly redress the infringement you identified, then you must answer “Yes” to the question, “Did the online service provider fail to expeditiously remove or disable access to the material after you sent a takedown notice?” if that is accurate. In addition, you must state facts detailing when you sent takedown notice(s) to respondent and how respondent failed to timely remove or disable access to the allegedly infringing material or attach documents to your claim that provide these facts. If you attach documents to your claim, they must be clearly labeled. Please visit the section 512 page and the discussion at pages 18-19 of the chapter on [Starting an Infringement Claim](#) in the CCB Handbook for additional information about what section 512 of the Copyright Act requires for an infringement claim against an OSP.

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