



COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0190

August 28, 2023

JIANGXI JUWEN TECHNOLOGY

CLAIMANT

v.

Google LLC

RESPONDENT

SECOND ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims 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, 2023**. 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

A claim for a declaration of noninfringement asks the Board to find that your actions do not amount to an infringement of the respondent's copyrighted work. 17 U.S.C. § 1504(c)(2). If someone has accused you of infringing their copyright, a noninfringement claim requests an official declaration that you did not infringe. For such a claim, the respondent must be the party that accused you of infringement and the claim must describe what allegedly infringing activity the respondent has asserted you engaged in, the reasons why you believe no infringement occurred, and the reasons why you believe there is an actual controversy about the requested declaration. 37 C.F.R. §§ 222.2(c)(8)(i) & (iii)-(v). Your allegations are unclear because there are no allegations that the respondent, Google LLC, has accused you of infringement. Based on the allegations and supplemental documents included in the claim it appears that rather than accusing you of infringement, Google was responding to claims by "Wattpad Corp" and "Kama Reno" accusing you of infringement by filing what appears to be a DMCA takedown notice to Google. The statement that you quoted under "Describe the infringing activity" appears to be a

statement made *to* Google, presumably by Wattpad and/or Reno. Moreover, the supplemental documents indicate that Google removed the app in its capacity as an online service provider responding to a takedown notice submitted under section 512 of the Copyright Act, 17 U.S.C. § 512, a provision enacted as part of the Digital Millennium Copyright Act (DMCA). As stated in the document named “Google sends a screenshot of a malicious complainant email to the Readink app (5) .png,” you had the opportunity under the DMCA to submit a counter-notification pursuant to section 512(g)(2) and (3). Such a counter-notification would have required Google to reinstate the app in order to stay within the safe harbor for online service providers provided in section 512.

If you submit an amended claim, it should clarify how Google, as distinguished from Wattpad and/or Reno, accused you of engaging in infringing activities and should describe what infringing activities Google alleges you engaged in. It must specifically describe an actual dispute between you *and Google* over whether your activities infringed the respondent’s copyright, and why you believe that you did not infringe. In the alternative, if one of the other entities or individuals identified in the claim is the party that has accused you of infringement, you can amend your claim to name that party as the respondent and specifically describe what infringing activities that party believes you engaged in.

Final Amendment

Your amended claim resolved some, but not all, of the compliance issues raised in the July, 27, 2023, 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