



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0197  
July 8, 2024

Jordan Braunstein and Pura Vida Properties

CLAIMANTS

v.

Jason Perrone

RESPONDENT

## ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims 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 **August 7, 2024**. 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.

### Clarity

Your claim largely complies with the Board's requirements at this stage, but you must file in an amended claim in order to clarify the matters noted below.

1. You appear to be bringing a claim of misrepresentation in connection with a takedown notice under 17 U.S.C. § 512(f). Your allegations indicate that the respondent issued takedown notices to Zillow and Avail that those entities have not shown you, which may include misrepresentations, and that claimant Jordan Braunstein sent counter-notices to Zillow and Avail. However, in the part of the claim form asking whether the misrepresentation occurred in the takedown notice or the counter-notice, you checked the "Counter-notice" box. The respondent would not be liable for any misstatements in a counter-notice that Braunstein sent. In your amended claim, to maintain that the respondent is liable for misrepresentation in the takedown notices that you allege it sent, you must check the box in the claim form that indicates that misrepresentation occurred in the takedown notices, not the box that indicates that it occurred in your counter-notices.

2. In the “Claimant” section of the claim, you list Jordan Braunstein as both a claimant and an authorized representative. The mailing address provided is a P.O. box, but the box number is blank in the claimant entry. In your amended claim, include the P.O. box number in the claimant address listing.

3. The “Description of harm suffered and relief sought” section of your claim ends with an incomplete sentence: “We seek relief of \$15,000 for lost revenue to date and request that the photographer.” It appears that you meant to add more. Please complete the sentence in your amended claim, and please make clear how each claimant was harmed. The Board notes that it is only authorized to grant certain kinds of relief. Unlike a federal court, the Board cannot order a respondent to stop or modify activities (sometimes called an “injunction”) unless the respondent notifies the Board that, if found liable for infringement, they will stop or modify the activity. However, respondents may decide to agree to stop or modify their infringing activity because, if they are found liable, the Board may consider that agreement when it decides how much to award as damages. More information about the types of relief available for an infringement claim is available at pages 6-7 and 16-17 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

4. Your claims relate to “photographs of our real estate property rental online” on listings websites Zillow and Avail. You identify Avail’s website address as avail.io. That seems to be a typo, because avail.io appears to be a medical technology company’s website, while avail.co appears to be a website for a real estate rental listing software service. In your amended claim, if you include Avail’s website address, ensure that the address is correct.

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](mailto: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