



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0286

October 18, 2024

M-1 Studios LLC

CLAIMANT

v.

Bassquatch Productions LLC

RESPONDENT

## 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 **November 18, 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.

### Copyright Registration

The Board can only hear a copyright infringement claim if, *before* the claim was filed, (1) the Copyright Office issued a registration certificate for the copyrighted work or (2) the legal or beneficial owner of the copyright applied to register the copyright by delivering a completed application, deposit, and fee to the Copyright Office, and the Copyright Office has not refused the application. 17 U.S.C. § 1505(a).

In the “Works infringed” section of the claim you list two allegedly infringed works that you identify as episodes of a television program titled “Bassquatch Hunter.” You name M-1 as the author of the episodes, and you list Copyright Office registration numbers PA0002437188 and PA0002437190 for those episodes. However, Copyright Office records for those registrations do not list M-1 as an author or a copyright owner. Instead, they identify respondent Bassquatch Productions LLC (Bassquatch) and Tri Omega Productions LLC (Tri Omega) as the sole authors of the episodes, and Bassquatch as the sole copyright owner.

M-1 cannot rely on Bassquatch’s registrations to support an infringement claim unless M-1 presents facts in an amended claim that indicate how it obtained rights to those registered works. It also appears that your claim actually relates not to infringement of the television programs covered by Bassquatch’s registrations but is based on

Bassquatch’s use in those programs of “licensed copyrighted music from GMP Music” that was used outside the scope of the GMP Music license. If that is the case, the *allegedly infringed musical works* must have been registered with the Copyright Office or a complete application for copyright registration must have been submitted to the Copyright Office *before* the claim was filed on September 29, 2024, and you must be the legal or beneficial owner of the copyrights in the musical works. If the works were neither registered nor subject to a complete pending application at that time, this claim cannot be successfully amended and cannot proceed. Instead, you would have to refile your infringement claim as a new claim in a new proceeding after submitting a complete application packet. For more information on registration, please refer to the Copyright Office [Registration Portal](#).

### **Legal or Beneficial Ownership**

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 a 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. More information about legal and beneficial ownership is available at page 4 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

Your claim does not present facts that indicate how M-1 Studios LLC (M-1) is a proper claimant to bring this infringement claim. As discussed above, you are not listed in the registration numbers provided as a copyright owner of the works identified in the “Works Infringed” section. If M-1 is a copyright owner of the “Bassquatch Hunter” episodes, the amended claim must include specific allegations about how it owns, or has an exclusive license to use, the exclusive rights at issue in the allegedly infringed works. You can do this either by adding facts to the “Describe the infringement” section explaining how M-1 owned exclusive rights in the work at the time of the infringement, or by submitting supplemental documents. For example, you may describe M-1’s relationship with Bassquatch or Tri Omega, and state how M-1 became a legal owner or co-owner of copyright, such as by assignment or exclusive license; or how M-1 remained a beneficial owner after transferring legal ownership, such as by retaining a right to receive royalties from use of the works. Alternatively, you may include supplemental documents, such as an assignment or exclusive license, demonstrating M-1’s legal or beneficial ownership. If you attach supplemental documents to your amended claim, please be sure that they are labeled clearly.

If and to the extent that your claim is actually about infringement of the copyrights in the “licensed copyrighted music from GMP Music,” you must present facts that indicate how M-1 Studios LLC (M-1) is a proper claimant to bring the infringement claim. The claim asserts no facts showing that M-1 is either the legal or beneficial owner of the copyrights in the music or that it has an assignment of or an exclusive license to use the exclusive rights at issue in the music.

## Co-ownership

An infringement claim cannot proceed against a co-owner. Information about joint ownership of a copyright is available at pages 9-10 of the [Responding to an Infringement Claim](#) chapter of the CCB Handbook.

The “Works infringed” section lists Bassquatch and Tri Omega as co-owners of the allegedly infringed works. In addition, a document filed with the claim shows an email in which M-1 seems to describe “Bassquatch Hunter” as a “joint production” with Bassquatch (“we have several shared episodes of joint production with them of a series online”). Those assertions are incompatible with a claim of copyright infringement against Bassquatch because a copyright owner or joint owner cannot be liable for infringing that copyright. If Bassquatch owns or co-owns the copyrights for the allegedly infringed episodes, it is not a proper respondent before the CCB and you should not submit an amended claim.

If you file an amended claim against Bassquatch, you must, if truthful, omit your allegations that it is a co-owner of the copyrights, and you must also clearly present facts to explain why your prior statement that it was a co-owner was incorrect. For example, you may state additional facts, or attach any agreement between Bassquatch, M-1, or Tri Omega related to the copyright ownership of the allegedly infringing episodes.

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.

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