



# COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0306  
December 20, 2024

Jordan J McFadden

CLAIMANT

v.

James Colwell

RESPONDENT

## SECOND ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (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 **January 21, 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. 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.

### Legal or Beneficial Ownership — Clarity

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 exclusive rights at issue.

Your claim presents unclear information about your status as a legal or beneficial owner of the allegedly infringed works. In your claim, you state that the works were authored by Jordan McFadden. However, a Board

search of Copyright Office records show that the registration applications list Worldwalker Studios as author and yourself as the owner (copyright claimant.). In your amended claim, you state “Worldwalker Studios is my personal studio which hires individuals to work beneath it. It is the organization I personally own.” Additionally, you have included two supplementary documents that appear to show written transfer of the work. However, these transfer documents appear to contradict the information provided to the Copyright Office in the pending applications. Even though you may be the owner of Worldwalker Studios, the law considers businesses to be separate legal entities from the individuals who own them.

- **SR 1-14339192409** ("All Hallow's Faire Slime Wheel Game - Tales from The Worldwalker Universe")  
The registration application lists Worldwalker Studios as author of the work stating it was made for hire and lists James McFadden as copyright claimant. However, the [agreement](#) included in the claim appears to show a transfer from the artists to James McFadden as an individual not Worldwalker Studio.
- **SR 1-14335221971** (“All Hallow's Faire Slime Wheel Game - Tales from The Worldwalker Universe”)  
The registration application lists Worldwalker Studios as author as author of the work stating it was made for hire and James McFadden as copyright claimant. However, the [agreement](#) appears to show a transfer from the artist to James McFadden as an individual not Worldwalker Studio.

Because the information in the registration application contradicts the information in the agreements you provided, your claim may not proceed. To correct this issue, if it is the case that the registration applications are simply in error, you should contact the Copyright Office and request a change to your pending applications as soon as possible. In your request, if accurate, you should specify that the artists, not Worldwalker Studios, authored the work and then transferred ownership to you, as an individual. For more information on registration, please refer to the Copyright Office [Registration Portal](#). You can contact the Copyright Office online here:

<https://help.copyright.gov/contact/s/status-form>.

## Relief Requested

Your copyright infringement claim must describe the harm that you have suffered as a result of the alleged infringement and the relief you are seeking. 37 C.F.R. § 222.2(c)(10). The Board can grant only certain types of relief. If you seek damages for your infringement claim, you can seek either (1) actual damages and the profits of the infringer attributable to the infringement, or (2) statutory damages. *Actual damages* are money damages awarded based on the proven harm or loss you suffered. 17 U.S.C. § 1504(e)(1)(A). An example of actual damages may be the amount of lost sales revenue or licensing fees you experienced that are attributable to the infringement. An award can also include any additional profits the respondent made from the infringement. *Statutory damages* are money damages awarded to a successful claimant that the Board considers “just” within a range set by law, without a need to provide proof of the actual amount of harm or loss.

Some of the harms alleged in your claim would not be the basis of any award that the Board may grant on this infringement claim. In the “Describe the infringement” section of the claim, you state that “[m]y copyright was also infringed upon via fraudulent claims where false originals were provided as ‘proof of ownership’ even despite these

posts being newer than my original posts.” Additionally, in the “Description of harm suffered and relief sought” section of the claim you state that you are seeking relief for “Copyright infringement in legal documentation.” False claims of ownership in legal documentation do not constitute a claim for copyright infringement.

If you file an amended claim, it must not include a request for relief that the Board cannot grant. You are not required to choose between actual or statutory damages at this point. 17 U.S.C. § 1504(e)(1)(B). You are not required to request damages at all. *Id.* § 1504(c)(1) & (e)(1)(B)(ii). Your amended claim may include a request for damages without giving a specific basis or amount. However, if you specify a basis for damages, it must be one that the Board may treat as a basis for awarding damages for infringement. More information about the available forms of relief can be found in the [Damages](#) chapter of the CCB Handbook, and on pages 6-7 of the [Starting an Infringement Claim](#) chapter.

### Final Amendment

Your amended claim did not resolve the compliance issue raised in the November 1, 2024 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](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 Board