



# COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0145  
July 18, 2023

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Dana Hursey

CLAIMANT

v.

The Times of Birmingham Inc / Birminghamtimes.com

RESPONDENT

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## ORDER DISMISSING CLAIM WITHOUT PREJUDICE

The respondent submitted an opt-out notice for this claim within the 60-day opt-out period. 17 U.S.C. § 1506(i). The Copyright Claims Board (Board) dismisses the claim without prejudice and closes case 23-CCB-0145. 37 C.F.R. § 223.1(a).

A claim that is dismissed by the Board without prejudice following the submission of an opt-out notice may then be filed in federal court. However, if the claimant attempts to refile a claim with the Board against the same respondent, covering in substance the same acts and the same theories of recovery as in this proceeding, the Board will again dismiss the claim, unless the claimant can demonstrate that the respondent affirmatively agreed to have the dispute resubmitted to the Board for resolution. 37 C.F.R. § 223.1(i).

Copyright Claims Board