Docket number: 25-CCB-0057

March 3, 2025

Connor A. Kinnamon	V	Trevor Shrier
CLAIMANT		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 **April 2, 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. 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.

Author

A copyright infringement claim before the Board must include the name of the author of the allegedly infringed work. 37 C.F.R. § 222.2(c)(7)(ii)(B). In the "Works infringed" section of the claim, you state the author's name as "Connorkinn." However, your pending application for copyright registration lists the author's name as Connor A. Kinnamon. If you file an amended claim, please edit the "Works infringed" section to name Connor A. Kinnamon as the author.

Substantial Similarity

Your infringement claim does not include enough facts that explain the similarities between your work and the respondent's allegedly infringing work. If it is not readily apparent from supplemental documents that are submitted with the claim, you must provide some specific allegations about how your work and the allegedly infringing work are substantially similar.

In the "Works infringed" section, you identify your work as a motion picture or audiovisual work that you describe as a "youtube video [I] made and recorded myself." You assert that the respondent "reposted my video" and "used my video [I] recorded myself without permission." However, your claim does not provide detailed

information describing how the respondent's video is substantially similar to your video. For example, you do not state how much of your video appeared in the respondent's video or if it was an identical or virtually identical copy of your video. You have provided a copy of a video as a supplemental document, but the claim does not indicate whether it is your video or the respondent's video, and the other video is not provided for comparison. As a result, the claim does not provide enough information to enable the respondent to understand the claim and respond to it.

When you submit an amended claim, it must include more factual allegations that support the element of substantial similarity. Please provide more details and background regarding this element in your amended claim, including a clear, detailed statement regarding how much of your work was taken by the respondent in the allegedly infringing work, or documents that are sufficient to show the similarities. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other. More information about the elements required to assert a claim of copyright infringement is available in the <u>Starting an Infringement Claim</u> chapter of the CCB Handbook.

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, <u>you must re-upload any documents you wish to include in the amended claim</u> 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 <u>asktheboard@ccb.gov</u>. 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 <u>Pro Bono Assistance</u> page on ccb.gov. You may also refer to the <u>Compliance</u> <u>Review</u> chapter of the CCB Handbook for more assistance.

Copyright Claims Board