



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0352

February 24, 2025

Colby Eubanks

CLAIMANT

v.

SocialCoaster Inc. d/b/a BVIRAL

RESPONDENT

ORDER DISMISSING CLAIM WITHOUT PREJUDICE

On November 13, 2024, the claimant filed claim 24-CCB-0352 with the Copyright Claims Board (Board). On November 21, 2024, the Board found this claim compliant and issued a Notice of Compliance and Direction to Serve.

A claimant has 90 days after receiving the Notice of Compliance to file a proof of service or waiver of service form with the Board. 17 U.S.C. § 1506(g); 37 C.F.R. § 222.5(b)(3)(i); 37 C.F.R. § 222.5(c)(5).

On January 8, 2025, the claimant submitted a proof of service stating that the respondent had been served “by certified mail in accordance with state law for serving a summons in an action brought in Tennessee.” However, Tennessee law permits service by certified mail only when a certified copy is sent to the organization’s registered agent with return receipt requested. The claimant failed to obtain a certified copy of the service packet and did not send it to the respondent’s registered agent.

On January 10, 2025, the Board emailed the claimant to notify him of this deficiency and to remind him of the deadline for filing valid service. The claimant did not respond to the Board’s email and has not submitted valid proof of service or a waiver of service form within the required 90-day period. Accordingly, the Board dismisses this proceeding without prejudice and closes this case. 17 U.S.C. § 1506(v)(1). Dismissal without prejudice means the claimant may raise the allegations again by filing a new claim.

Copyright Claims Board