



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0133
May 14, 2024

Jill Sowerby

CLAIMANT

v.

Jill Sowerby, ms

RESPONDENT

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims 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 **June 13, 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.

Foreign Respondent

The Board cannot hear a claim asserted against a person or entity residing outside the United States. 17 U.S.C. § 1504(d)(4). The claim must include the respondent's name and address. 37 C.F.R. § 222.2(c)(5)-(6). Your allegations indicate that you have not complied with these requirements.

You filed this copyright infringement claim on May 3, 2024. In the "Respondent" section of your claim, you list your own name as the respondent's name rather than the name of the alleged infringer. You list the respondent's address as "1668 state rt 980, canonsburg, PA 15317." However, a May 2, 2024 [demand letter](#) filed with the claim is addressed to the alleged infringer, Peter Archibald Stafford, at an address in the United Kingdom. On May 3, 2024, soon after filing the claim, you sent an email to Board staff stating, "I need to stop this [claim] as i accidentally put my name in the wrong place i am the claimant not the respondent." In a May 7, 2024 email to Board staff, seeking to amend the claim to name Mr. Stafford as the respondent with his United Kingdom address, you stated:

The correct address is actually a UK address. The reason we were trying to file is because of using this is evidence and proof we are taking legal action. So we can submit to you tube. We are trying to get the video removed from YouTube. However they don't seem to be accepting any UK legal action evidence / they only are accepting American legal evidence that there is action being taken.

(Emphasis added.) The demand letter filed with the claim, and your correspondence with Board staff since filing the claim, indicate that the respondent address in the claim is invalid, that the alleged infringer is not located in the United States, and that the Board therefore cannot hear this claim.

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).

You filed this claim at 3:43 PM ET on May 3, 2024, alleging infringement of a work that you describe as a motivational video. You state that the Copyright Office has not registered the work, and you provide 1-13795951667 as the service request number for a pending application for registration. Copyright Office records for that application indicate that it was submitted before you filed this claim; however, the Office did not receive the deposit copy of the work until 4:17 PM ET on May 3, 2024. The term “deposit” refers to the copy or copies of a work that must be submitted to the Copyright Office with an application for registration. Information about the deposit requirement for registration is available in [Chapter 1500](#) of the *Compendium of U.S. Copyright Office Practices, Third Edition*. For more information on registration, please refer to the Copyright Office [Registration Portal](#).

Because the work was neither registered nor subject to a complete pending application before this claim was filed, the Board cannot hear a claim of infringement of that work in *this* proceeding. Instead, now that a complete application has been filed, you would need to refile your infringement claim in a *new* proceeding, if it is brought against a United States resident.

If you believe the above statements regarding your application are in error, you may submit an amended claim that shows that a complete application with the required deposit was submitted before you filed this claim on May 3, 2024, and that the respondent is a United States resident. Otherwise, this claim cannot be successfully amended and cannot proceed.

Because the respondent appears to be a foreign resident, and because you did not complete your application for registration before filing the claim, we have not reviewed the remainder of your claim to determine whether it complies in other respects with the legal and formal requirements for a claim before the Board. If you submit an amended claim with a valid address for a respondent who is a United States resident, the Board will engage in a full compliance review, so you should review the [CCB Handbook](#) and make sure the rest of your amended claim is compliant. You should only amend your claim if (1) you are raising it against an individual or entity residing in the United States for whom you provide a valid mailing address, and (2) you completed an application for copyright registration for the allegedly infringed work before submitting the claim on May 3, 2024.

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. 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 Attorney