



COPYRIGHT CLAIMS BOARD

Docket number: 22-CCB-0157

United States Copyright Claims Board

Denis Plakhotnikov

CLAIMANT

v.

Eugene Korolev

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 **November 3, 2022**. 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 extra 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.

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). In your claim, you provide an address for the respondent in Kyiv, Ukraine, which indicates that the Board cannot hear the claim. You should only amend your claim if you are raising it against an individual or entity residing in the United States.

Copyright Infringement Claim – Registration

You checked the box identifying your claim as one of copyright infringement. 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).

In your claim, you state that your work has been registered by the Copyright Office and you list 00000268762 as your registration number. However, that number does not identify a work registered with the United States Copyright Office. Instead, it corresponds to a number on the supplemental document you filed with your claim, which appears to be a copy of a Ukrainian trademark registration certificate. To address this issue, if you file an amended claim, please include the Copyright Office registration number for the work or the service request number for the application to register the work with the Copyright Office.

Either the registration must have been issued or the application must have been delivered to the Copyright Office before you filed your claim on September 21, 2022. If your work was neither registered nor subject to a pending application at that time, this claim cannot be successfully amended and cannot proceed. Instead, you would need to apply to register the copyright for the allegedly infringed work before you could refile your claim. For more information on registration, please refer to the Copyright Office [Registration Portal](#).

Because you have filed a copyright infringement claim against a respondent that appears to be a foreign resident, and because the claim does not appear to be based on a work covered by a copyright registration or pending application for copyright registration with the United States Copyright Office, 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 that resolves the foreign resident and registration issues, 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.

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 your claim included supplementary documents, you must re-upload any documents you wish to include in the amended claim on the “**Documentation**” page. Please include only documents that are directly related to your claim.
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. You may also refer to the [Compliance Review](#) chapter of the CCB Handbook for more assistance.

Copyright Claims Attorney

October 4, 2022