



COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0386

January 6, 2025

Ugo antonio Troiano

CLAIMANT

v.

Ellen Stuart, Joel Slemrod,
William Boning

RESPONDENTS

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 **February 6, 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.

Impermissible Claim

The Board is only authorized to resolve certain types of copyright disputes. Three particular kinds of claims are permitted:

1. claims of copyright infringement;
2. claims seeking a declaration that activity is not infringement; and
3. claims about misrepresentations in connection with a takedown notice or counter-notice under the Digital Millennium Copyright Act (DMCA).

17 U.S.C. § 1504(c)(1)-(3). In your claim you state that “The alleged infringement occurred upon publication of the article ‘Does giving tax debtors a break improve compliance and income? Evidence from quasi-random assignment of IRS Revenue Officers’ by William C. Boning, Joel Slemrod, Ellen Stuart and Alex Turk, published by the Economic Inquiry on December 5 2024.” You further state that “I conceived the research proposal for a project, which included the core idea, the research design, and a data application specifying the necessary data to execute it properly.” Additionally, you have included a [supplemental document](#) that appears to request joint authorship and attribution.

Copyright does not protect ideas, concepts, systems, or methods of doing something. You may express your ideas in writing and claim copyright in your description, but copyright will not protect the idea itself even as it is revealed in your written work. A copyright registration only extends to copyrightable subject matter included in the deposited material. In other words, the underlying concept or plan within a proposal is not copyrightable, although the written document containing the proposal's details can be registered if it contains original expression and wording. Information about copyrightable authorship is available in Sections 302, 308, and 313 of Chapter 300 of the *Compendium of U.S. Copyright Office Practices, Third Edition*.

To present a copyright infringement claim, the alleged infringement must be substantially similar to the copyrightable expression in your work. In your claim you have not included any allegations or facts indicating that original text from your proposal was included in the allegedly infringed article nor that the works are substantially similar in their expression. The materials that you present do not show substantial similarities in copyrightable expression protected by your copyright. Thus, these allegations do not appear to be about any kind of claim that the Board could hear.

Furthermore, the Board cannot hear claims that are based in attribution. The June 21, 2023 letter you attach to your claim discusses your request to the respondents for joint authorship and attribution for the work that you allege is an infringement in this claim. This presents multiple issues. First, the Board cannot hear attribution or pure ownership claims, only infringement claims. Second, to the extent you authorized the use of your work to create and distribute the alleged infringement, in any amended claim, you will need to explain why the respondents were not authorized to use your work.

Please review [Circular 1: Copyright Basics](#) and the [Introduction](#) chapter in the CCB Handbook for more information about copyright and the kinds of disputes that the Board can hear. You should only file an amended claim if you can state facts to support a claim under copyright law that can be heard by the Board. For more information about what is required to support a claim of infringement, noninfringement, or misrepresentation please refer to the CCB Handbook:

- [Starting an Infringement Claim](#)
- [Starting a Noninfringement Claim](#)
- [Starting a Misrepresentation Claim](#)

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 Board