COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0327
December 3, 2024

Wendy Sloan	*v.*	Just For Littles LLC
CLAIMANT		**RESPONDENT**

SECOND DEFAULT NOTICE TO JUST FOR LITTLES LLC

The Copyright Claims Board (Board) is issuing this Second Default Notice in claim 23-CCB-0327 because you failed to respond to the First Default Notice within fifteen days. The attached First Default Notice, issued on November 13, 2024, notified you that you have until December 13, 2024, to file your written response testimony. While you contacted the Board via email on November 13, 2024, requesting filing instructions, which were promptly provided, and again on November 17, 2024, citing technical difficulties, you have not responded to the Board's subsequent email on November 18, 2024, which requested further information and screenshots of the errors you encountered. Additionally, you have not submitted your written testimony. The Board issues this notice to remind you of the December 13, 2024, deadline. **37 C.F.R § 227.1(b)(2)**.

You have until December 13, 2024, to file your written response testimony in the claim against you. If you need to request more time, you must do so before the deadline.

As stated in the First Default Notice, if you file your written response testimony by the deadline, the Board will resume proceedings. **37 C.F.R. § 227.1(c)**. If you do not file written testimony or contact the Board about this notice by the deadline, the Board will determine whether the written direct evidence filed is sufficient to justify a determination in favor of the claimant, and if so, will issue a proposed default determination awarding damages or relief to the claimant. If the Board determines that the evidence is not sufficient to rule in favor of the claimant, it will prepare a proposed determination dismissing the proceeding without prejudice (without prejudice means the claim can be filed again in the future). **37 C.F.R. § 227.3(a)(1)-(2).**

If the Board issues a proposed default determination in favor of the claimant, you will have 30 days to respond. If you do not respond, the Board will issue the proposed default determination as a final determination against you. **37 C.F.R. § 227.4(a)**; **37 C.F.R. § 227.5(b)**.

If you do not pay the claimant any damages that are awarded in the final determination or if you otherwise fail to comply with any relief included in the determination, the claimant may apply to a United States District Court for an order confirming the relief awarded in the final determination and for a judgment for the damages and relief included in the determination.

For more information on procedures in cases of default, see the CCB Handbook chapter on **Missed Deadlines**. For information on how to ask the Board to reconsider a final determination following a default, see

the discussion in that chapter on "Challenging a Determination" at p. 7. You may also seek an order from a United States District Court vacating, modifying, or correcting the determination. *See* **17 U.S.C. § 1508(c)**.

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.

The Board will mail this notice to the address and any email address we have on file for you. Any specific questions can be directed to asktheboard@ccb.gov.

Copyright Claims Board

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November 13, 2024

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CLAIMANT		**RESPONDENT**

FIRST DEFAULT NOTICE TO JUST FOR LITTLES LLC

The Copyright Claims Board (Board) is issuing a First Default Notice in claim 23-CCB-0327 because Just For Littles LLC (you) has not filed written response testimony as ordered by the Board's Order to Submit Written Testimony.

The Board issued the Order to Submit Written Testimony on July 9, 2024, which required you to submit written response testimony within 45 days after the claimant's submission of written direct testimony. The claimant completed submission of its direct testimony on September 10, 2024. On September 17, 2024, the Board issued a docket note informing you that the deadline for your written response testimony would be October 25, 2024. However, you did not meet this deadline.

On October 29, 2024, the Board sent you an email notifying you of the missed deadline and cautioning that failure to submit a response could result in a default. As of this date, no response testimony has been filed, and the Board has not received any communication from you since the status conference on July 9, 2024. The Board hereby notifies you that failure to participate in the proceeding may result in the Board entering a default determination against you. **37 C.F.R. § 227.1(b)(1)**.

You have until **December 13, 2024,** to file written response testimony. You may ask for more time if you need it by completing a short request form on eCCB for the Board to consider. If you file written testimony by this deadline, the Board will resume proceedings.

If you do not file written testimony or contact the Board about this notice by **December 13, 2024**, the Board will determine whether the written direct evidence filed is sufficient to justify a determination in favor of the claimant, and if so, will issue a proposed default determination awarding damages or relief to the claimant. If the Board determines that the evidence is not sufficient to rule in favor of the claimant, it will prepare a proposed determination dismissing the proceeding without prejudice (without prejudice means the claim can be filed again in the future). **37 C.F.R. § 227.3(a)(1)-(2)**.

If the Board issues a proposed default determination in favor of the claimant, you will have 30 days to respond and submit any evidence or information opposing the default determination. If you do not respond to the proposed default determination, the Board will issue the proposed default determination as a final determination against you. **37 C.F.R. § 227.4(a)**; **37 C.F.R. § 227.5(b)**.

If you do not pay the claimant any damages that are awarded in the final determination or if you otherwise fail to comply with any relief included in the determination, the claimant may apply to a United States District Court for an order confirming the relief awarded in the final determination and for a judgment for the damages and relief included in the determination.

The district court is required to grant the order and the judgment unless the determination has been vacated, corrected, or modified. The district court may also impose on you the reasonable expenses incurred by the claimant, including attorney's fees, in order to obtain the order and judgment.

For more information on procedures in cases of default, see the CCB Handbook chapter on **Missed Deadlines**. For information on how to ask the Board to reconsider a final determination following a default, see the discussion in that chapter on "Challenging a Determination" at p. 7. You may also seek an order from a United States District Court vacating, modifying, or correcting the determination. *See* **17 U.S.C. § 1508(c)**.

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.

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