COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0401
April 16, 2025

Nathan Taylor	*v.*	Joseph Silvestro
CLAIMANT		**RESPONDENT**

SCHEDULING ORDER

The Copyright Claims Board (Board) approved claim 24-CCB-0401 for service on January 6, 2025. The end of the opt-out period was March 31, 2025, and the respondent did not opt out. On April 1, 2025, the Board directed the claimant to pay the second filing fee and the respondent to register for eCCB. The claimant paid the second filing fee, but the respondent has not yet registered for eCCB. This scheduling order is accompanied by a notice to the respondent that they must register for eCCB by **May 9, 2025**, and must file a response to the claim by **May 16, 2025,** as noted below, or the Board may begin the default process. **37 C.F.R. § 222.7(b)(2)**.

The claim now proceeds to the active phase. In the first part of the active phase, the respondent is required to explain their position in their response. After the due date for filing a response has passed, a Copyright Claims Officer will hold a conference, called the initial conference.

The claimant has selected a "smaller claims" track for this CCB proceeding. 37 C.F.R. § 226.4. A smaller claims proceeding is a streamlined process for parties to resolve their dispute. The proceeding will be conducted by one presiding Copyright Claims Officer, who will play an active role in managing the case. The Officer will hold an initial conference with the parties to discuss the claim and determine the limited scope, if any, of discovery. After any discovery, the parties will submit the evidence they want considered, any witness statements, and an optional written statement discussing the claims and defenses at issue. After a merits conference to discuss these submissions, the Officer will issue proposed findings of fact. The parties will have an opportunity to respond to the findings of fact before the Officer issues a final determination. You will not be required to travel for any portion of a Board proceeding.

For general information, please refer to the CCB Handbook chapters titled **Smaller Claims** and Discovery.

EVENT	DEADLINE
Respondent files response (37 C.F.R. § 222.8)	May 16, 2025
Initial conference (37 C.F.R. § 226.4(c))	Wednesday, May 21, 2025, at 2:30 PM ET

After the initial conference, the Board will issue a new scheduling order to set forth the deadlines for any discovery, the parties' written submissions on the merits, and the merits conference. 37 C.F.R. § 222.11(d).

PREPARING AND SUBMITTING A RESPONSE:

A response is the first opportunity for the respondent to answer the allegations the claimant made and raise defenses to those allegations. The respondent should review the claim carefully and think about the issues the claimant has raised, the facts and arguments made, the evidence included (if any), and whether the respondent would describe the events differently from the claimant or add additional facts. A response must be submitted through a form in eCCB, which will ask the respondent for basic information about their position in the case and any relevant defenses.

The respondent should consult the Board's Handbook chapters on **Smaller Claims** and the **Responding to a Claim Requesting a Declaration of Noninfringement** to learn about the elements of a declaration of noninfringement claim and consider some questions for preparing a response. If the respondent wishes to file a counterclaim, it must be filed along with the response. For more information about counterclaims, consult the Handbook chapter on **Counterclaims**.

TO SUBMIT THE RESPONSE:

1. Log in to your eCCB account.
2. On your dashboard, click the "**Respond to claim**" button and select the proceeding from the drop-down menu.
3. Indicate whether you will be filing any counterclaims, and then proceed to completing the response screens.
4. Once you have provided the requested information, you will reach the "**Review**" page. This page includes all information you have provided in the response up to this point. Carefully double-check the information on this page. If you have any corrections, you can select "**Edit**" on any section to revise your entry. After you make changes, click "**Save & review**" to return to the Review page. Please review your response carefully. There are only limited opportunities to request an amendment.
5. Once you have completed your review and any revisions, you must confirm that the information 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**."

PREPARING FOR AND PARTICIPATING IN THE INITIAL CONFERENCE:

After the respondent files their response, the Copyright Claims Officer holds a virtual conference, called an initial conference, to discuss the proceeding, how the steps of the proceeding will work, and whether the parties are interested in voluntarily resolving their claims through a settlement conference.

The initial conference gives you the opportunity to help the Officer understand your initial positions on the legal and factual issues of the case. It is also an opportunity to inform the Officer about any documents and evidence you may need from the other side.

The initial conference will be held virtually by Zoom. Prior to the conference, the Board will issue the link to the parties by email.

BEFORE THE INITIAL CONFERENCE, YOU MAY WANT TO:

1. Prepare a short summary of your side of the case.
2. Think of questions you may have for the Officer.
3. Consider what documents that you have related to your case, and anything you think is missing.
4. Think about whether you are interested in settlement.

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.

Copyright Claims Board