COPYRIGHT CLAIMS BOARD

Docket numbers: 24-CCB-0255 & 24-CCB-0258
April 28, 2025

Julia A Parker	*v.*	Denim Walters
CLAIMANT		**RESPONDENT**

ORDER TO SUBMIT DEFAULT DIRECT PARTY STATEMENT

The respondent in consolidated Claims 24-CCB-0255 and 24-CCB-0258 has failed to appear or participate in this proceeding before the Copyright Claims Board (Board).

The Board issued an Order to Pay Second Filing Fee and Register for eCCB in 24-CCB-0258 on December 27, 2024, and in 24-CCB-0255 on January 14, 2025. These orders, which were sent to the respondent by mail and email, required the respondent to register for eCCB and link himself to the claims by January 10, 2025, and January 28, 2025, respectively, unless he was granted a waiver of that requirement. 37 C.F.R. § 222.7(a)(2); 37 C.F.R. § 222.5(f).

In 24-CCB-0258 and in 24-CCB-0255, the Board issued Second Notices to Register for eCCB on January 13, 2025, and January 29, 2025, respectively, which directed the respondent to register for eCCB by February 12, 2025, and February 21, 2025, respectively. On the same days, the Board issued Scheduling Orders ordering the respondent to file a response to the claims by February 12, 2025, and February 28, 2025, respectively, and to appear for initial conferences on February 19, 2025, and March 18, 2025, respectively. These orders were sent to the respondent by mail and email. The February 19, 2025, conference was later rescheduled to February 26, 2025.

On February 20, 2025, the respondent emailed the Board stating that he wished to receive no further communication and would forward any future contact to the police for harassment. In response, on February 21, 2025, the Board informed him that, because he is a named respondent in an official legal proceeding, the Board is legally required to send communications to him regarding these cases. The Board also provided resources confirming the legitimacy of the Board and its proceedings and advised that failure to participate could result in a default judgment. Despite that notice, the respondent failed to meet the deadlines to respond and did not attend either initial conference.

The Board issue an order consolidating the claims on March 19, 2025, and issued a First Default Notice on March 25, 2025, which ordered the respondent to register for eCCB and file a response by April 24, 2025. The Board issued a Second Default Notice on April 9, 2025, reminding the respondent of the April 24, 2025, deadline. *See* 37 C.F.R. § 227.1(a)-(b). Both the First and Second Default Notices were mailed and emailed to the respondent.

The Board has received no further communication from the respondent to date. The respondent has not registered for eCCB, further contacted the Board by email or phone, or filed responses to the claims, and he did not

attend the initial conferences. Therefore, the Board will proceed according to the regulations governing a default determination. 37 C.F.R. § 227.2(a).

The Board orders the claimant to submit written direct testimony in support of a default determination. 37 C.F.R. § 227.2(a). Written direct testimony consists of:

1. a **party statement** describing the claimant's position on the claims, defenses, and any counterclaims as well as the facts and any law the claimant wants to present that support their position;
2. claimant's documentary **evidence**, along with an **evidence list** that identifies and briefly describes each piece of evidence the claimant is submitting; and
3. optional but recommended **witness statements** from people with personal knowledge about the facts – including the party submitting the testimony – in the proceeding. 37 C.F.R. § 222.15(b).

When uploading the written direct testimony, the claimant must certify that it is accurate and truthful.

If you do not submit a witness statement from yourself (which you are highly encouraged to do, especially if you do not have witness statements from others), be sure to include in your party statement a separate section with an account of all of the facts of your case of which you have personal knowledge. The Board cannot rule in your favor unless you have presented evidence (including the facts that you properly set forth in your written testimony) that proves all the elements of your claim.

Claimant is reminded to submit any evidence related to damages, regardless of whether the claimant has selected actual or statutory damages. This may include evidence related to any revenues lost due to the infringement or the value of the copyright, including amounts charged in the past for licensing the work at issue or similar works, if applicable. Please see page 10 of the **Presenting Your Case** Handbook chapter and the **Damages** chapter for more information. Document requirements, guidance, and instructions for submitting your statement are included in a separate handout that will be emailed to you.

The Board will review all written direct testimony submitted by the claimant and determine whether the evidence is sufficient to support a finding in favor of the claimant. If the Board determines the evidence is sufficient to support a finding for the claimant, it will prepare a proposed default determination. If the Board determines that the evidence is insufficient to support a finding for the claimant, it will prepare a proposed default determination dismissing the proceeding without prejudice. 37 C.F.R. § 227.3(a)-(b).

The claimant is directed to submit all written direct testimony by June 12, 2025.

Copyright Claims Board