COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0218
June 9, 2025

Kate Moberg	*v.*	Heather Firca D/B/A MilMie Designs
CLAIMANT		**RESPONDENTS**

FIRST FAILURE TO PROSECUTE NOTICE TO KATE MOBERG

The Copyright Claims Board (Board) is issuing this First Failure to Prosecute Notice in claim 24-CCB-0218 because the claimant, Kate Moberg ("Claimant"), has not: (1) informed the Board whether she intends to pursue her claim, (2) completed any of her discovery obligations according to the respondent, and (3) changed her eCCB user profile type to a business owner or authorized business representative, as directed during the pre-discovery conference held on April 1, 2025 (to be completed by April 8), so that the claimant can properly be changed to Johnny Threads, Inc. **37 C.F.R. § 228.2(a)**.

Although not fulfilling the Board's directive regarding the user profile and proper claimant, on May 20, 2025, Claimant emailed the Board requesting to postpone the May 21, 2025 status conference by 30 days due to what she termed a serious personal matter. The following day, Respondent notified the Board via email that while Respondent had complied with discovery requirements, Claimant had not provided *any* interrogatory responses or documents by the May 16, 2025, deadline set in the Amended Scheduling Order (Dkt. 18) or since. Later that day, the Board informed Claimant via email that she must confirm whether she intended to proceed with her claim and complete her discovery obligations by June 4, 2025. A reminder was sent on May 29, 2025. To date, Claimant has not responded, completed her required discovery, or updated her eCCB user profile type.

The Board hereby notifies Claimant that continued inaction may result in dismissal of this claim. **37 C.F.R. § 228.2(b)(1)**. Claimant has until **July 9, 2025**, to:

- Notify the Board at **asktheboard@ccb.gov** whether she intends to proceed with her claim;
- Complete her discovery obligations; and
- Update her eCCB user profile type so that the claimant can be changed to the proper claimant.

If these steps are **all** completed by the deadline, the Board will resume proceedings. **37 C.F.R. § 228.2(c)(1)**. If not, the Board will issue a determination dismissing the claim with prejudice, meaning it cannot be refiled.

For more information about procedures related to a failure to prosecute, please refer to the **Missed Deadlines** chapter of the CCB Handbook. Legal guidance may be available at reduced or no cost through the **Pro Bono Assistance page**. This notice will also be sent by mail and email to the contact information on file. For further questions, please contact **asktheboard@ccb.gov**.

Copyright Claims Board