COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0003
August 20, 2025

Rebecca Estenssoro, Karen Holmes, and Karen Boeker	*v.*	Jennifer Darter
CLAIMANTS		**RESPONDENT**

FIRST DEFAULT NOTICE TO JENNIFER DARTER

The Copyright Claims Board (Board) is issuing a First Default Notice in Claim 25-CCB-0003 because you have not registered for eCCB (the Copyright Claims Board's electronic filing and case management system) or filed a response as ordered by the Board. **37 C.F.R. § 227.1(a)**.

The Board issued an Order to Pay Second Filing Fee and Register for eCCB on June 2, 2025. The claimants paid the second filing fee on June 3, 2025. The order also directed you to register for eCCB by June 16, 2025, unless you were granted a waiver of that requirement. **37 C.F.R. § 222.7(a)(2)**; **37 C.F.R. § 222.5(f)**.

On June 17, 2025, the Board issued a Second Notice to Register for eCCB, which directed you to register for eCCB by July 10, 2025. On the same day, the Board issued a Scheduling Order ordering you to file a response to the claim by July 17, 2025, **37 C.F.R. § 222.7(b)(2)**, and to appear for an initial conference on August 19, 2025. You failed to meet the deadline to respond and did not attend the August 19, 2025 conference or provide the Board with a reason for your absence.

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 **September 19, 2025** to file a response to the claim and register for eCCB. 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 a response and register for eCCB by this deadline, the Board will resume proceedings and issue a new scheduling order with a revised date for the initial conference. **37 C.F.R. § 227.1(c)**.

If you do not file a response and register for eCCB or contact the Board about this notice by **September 19, 2025**, the Board will ask the claimants to submit evidence in support of their claim. **37 C.F.R. § 227.2(a)-(b)**. The Board will then determine whether the evidence is sufficient to justify a determination in favor of the claimants, and if so, will issue a proposed default determination awarding damages or relief to the claimants. If the Board determines that the evidence is not sufficient to rule in favor of the claimants, 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 claimants, 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 claimants any damages that are awarded in the final determination or if you otherwise fail to comply with any relief included in the determination, the claimants 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 claimants, 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)**.

The Board will mail this notice to the address and any email address we have for you. Any specific questions can be directed to **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