COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0003
February 27, 2026

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

ORDER DISMISSING CLAIM WITH PREJUDICE

This claim was filed with the Copyright Claims Board (Board) on January 2, 2025. On January 14, 2025, the Board found the claim compliant and directed Claimants to effect service. A valid proof of service was filed on March 21, 2025. Despite multiple orders and default notices directing Respondent to register for eCCB, file a response, and appear for the August 19, 2025, initial conference, Respondent failed to participate in the proceeding.

Due to Respondent's nonparticipation, the Board issued an Order to Submit Default Direct Party Statement on September 22, 2025, which directed Claimants to file written testimony in support of a default determination by November 6, 2025. Claimants did not meet that deadline. On December 1, 2025, Board staff inquired whether they intended to proceed. In response, Claimant Rebecca Estenssoro mistakenly stated that she had filed default testimony in this matter, when in fact she had filed materials in a separate proceeding (*Holmes et al. v. Nunes et al.*, Claim No. 24-CCB-0405). The Board extended the deadline to January 9, 2026. No testimony was filed, and a follow-up inquiry on January 14, 2026, received no response.

The Board then issued a First Failure to Prosecute Notice on January 27, 2026, and a Second Failure to Prosecute Notice on February 11, 2026, which directed Claimants to submit their default testimony by February 26, 2026. Both notices, which were also sent by mail and email to Claimants, warned that failure to comply would result in dismissal with prejudice. On February 13, 2026, the Board emailed Claimants with a final reminder of the February 26, 2026, deadline. However, Claimants did not file their testimony, request withdrawal by the deadline or otherwise respond to the email.

Accordingly, the Board dismisses the claim with prejudice. Dismissal with prejudice means the claim may not be refiled before the Board or in court. 37 C.F.R. § 228.2(d).

Copyright Claims Board