COPYRIGHT CLAIMS BOARD

Docket number: 26-CCB-0146
March 17, 2026

Daniel T. Tevera	*v.*	Andrew Brown
CLAIMANT		**RESPONDENT**

ORDER TO SHOW CAUSE REGARDING BAD-FAITH CONDUCT

On February 21, 2026, Daniel T. Tevera (Claimant) filed this copyright infringement claim before the Copyright Claims Board (Board) against Andrew Brown (Respondent). The California mailing address provided for Respondent in the claim is clearly invalid and the claim acknowledges that Respondent "is a resident of South Africa." The Board can only hear claims against United States residents. The Board therefore orders Claimant to show cause why filing this claim against Respondent, listing the wrong mailing address for a foreign resident, does not constitute bad-faith conduct under **37 C.F.R. § 232.3**.

A claim before the Board must include the respondent's mailing address. **37 C.F.R. § 222.2(c)(6)**. A claim "asserted against a person or entity residing outside the United States" is categorically "not subject to determination by the Copyright Claims Board." **17 U.S.C. § 1504(d)(4)**. The eCCB online filing system specifically informs filers of this prohibition on several screens, and eCCB requires claimants to provide a United States address for respondents, including the city, state, and zip code. Before submitting the claim, filers are asked to certify under penalty of perjury that the information provided in the claim is accurate and truthful to the best of their knowledge. *See* **37 C.F.R. § 222.2(c)(12)**.

The claim lists Respondent's address as 901 Cherry Ave, San Bruno, CA 94066. That is the address of YouTube's headquarters. It is clearly an invalid address for Respondent. The claim concedes that Respondent is a resident of South Africa, and Respondent listed his South Africa address in a **counter-notice** that Claimant filed in support of the claim. Respondent confirmed in an email received by the Board on March 5, 2026: "I am a resident of South Africa." Nevertheless, in a section of the claim labeled "Statement on Jurisdiction and Address," Claimant contends that the claim is properly raised against Respondent:

> The respondent (Andrew Brown) is a resident of South Africa but has explicitly consented to the jurisdiction of the U.S. Federal District Court for the judicial district in which YouTube is located (Northern District of California) via his DMCA counter-notice dated February 12, 2026.
>
> I have entered the [respondent] Andrew's address as 901 Cherry Ave, San Bruno, CA 94066, because the eCCB system does not permit the entry of foreign addresses for respondents. This address corresponds to the specific judicial district (Northern District of California) to which Andrew consented for service of process and jurisdiction.

Respondent's consent to the jurisdiction of a federal court in California does not give the Board a basis to hear a claim against a foreign resident. That consent applies to lawsuits filed in federal court, not to claims before the Board. It also does not permit Claimant to circumvent the eCCB form requirements to submit a United States address for Respondent. It appears that when filing the claim, despite the warnings that claims against foreign respondents are prohibited, Claimant sought to get around the prohibition by falsely entering incorrect address information for Respondent in the claim form so that eCCB would allow the filing to continue. No reasonable basis is apparent for filing this claim, using a plainly invalid address as a substitute for Respondent's foreign address.

The Board orders Claimant to file a response to this order by **March 31, 2026**. The response shall explain why filing this claim with the address provided for Respondent does not constitute bad-faith conduct as defined in the Board's regulations. "Bad-faith conduct occurs when a party pursues a claim, counterclaim, or defense for a harassing or other improper purpose, or without a reasonable basis in law or fact. Such conduct includes any actions taken in support of a claim, counterclaim, or defense and may occur at any point during a proceeding before the Board, including before a proceeding becomes an active proceeding." **37 C.F.R. § 220.1(c)**. The response should be filed on eCCB and may not exceed 10,000 characters in length, not including any relevant documents filed as attachments in support of the response. **37 C.F.R. § 220.5(a)(2)(xii)**.

To submit the response, log into your eCCB account and take the following steps:

1. From your dashboard, you will see this claim under "Ongoing copyright proceedings."
2. Click the "File in existing case" button and select this proceeding from the drop-down menu of active proceedings.
3. Select "Response to Order to Show Cause" from the dropdown menu.
4. You may type your response in the text box.
5. You may also upload, as an attachment, any additional documentation you would like the Board to consider with your response.

The Board will hold a conference by Zoom concerning the issues raised in this order on **April 13, 2026, at 2:00 PM ET**. Claimant is directed to attend in order to explain why the conduct described in this order does not constitute bad-faith conduct under 37 C.F.R. § 232.3(c). A Zoom link will be sent to Claimant before that date.

If there are questions, please contact **asktheboard@ccb.gov**. Include the 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.

Copyright Claims Board