COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0121
May 27, 2026

Julie M Johnson	*v.*	Sambo Sampson
CLAIMANT		**RESPONDENT**

PROPOSED FINDINGS OF FACT

Based on the parties' submissions and the witness testimony at the conference, the Board finds the following facts as established.

1. Julie M Johnson ("Johnson" or "Claimant"), based in California, sells thick pads (also called "saddle blankets") for horses with various designs that she creates. Merits Conference Testimony ("Conference Tr.") at 4:48-4:51, 5:43-5:58, 7:14-7:29. One of the designs she created is called "Zane" (the "Work"), which was registered by the United States Copyright Office, effective as of October 14, 2023 (Reg. No. VA0002375195). Claimant Exhibit A (Dkt. 29). The date of first publication of the Work is February 15, 2022. *Id.*; Conference Tr. at 6:36-7:13.

2. Zane is a creative work, which Johnson created as a drawing and then digitized using an iPad app. Conference Tr. at 5:23-5:34. She designed the Work for one of her sponsored riders, Zane Davis, to use at a show in Las Vegas, so she laid the pattern out to resemble dice. *Id.* at 6:02-6:30.

3. Johnson sells her pads containing the Zane pattern on websites and at events, in tack stores, and through wholesalers. Conference Tr. at 7:36-8:00. She markets her pads on Instagram, Facebook, and her website legendsranchshowpads.com. *Id.* at 8:39-9:06. She sells pads containing the Zane pattern at $195 to $225 per pad. *Id.* at 9:46-10:08. The Zane pattern is her most popular pattern and she has sold more than 200 pads containing the Zane pattern in different color variations. *Id.* at 10:08-10:24. She has had about $40,000 in sales of pads containing the Zane pattern. *Id.* at 10:27-10:36.

4. Sambo Sampson ("Sampson" or "Respondent") resides in Tennessee. *Id.* at 29:59-30:03. Sampson also sells horse pads with designs ("show pads") through his sole proprietorship called Down the Rail Promotions. *Id.* at 30:06-30:31.

5. On approximately September 25, 2023, Johnson discovered that Sampson was selling saddle blankets with almost exactly the same design as Zane, albeit with different colors than the Zane red-black-white combination. *Id.* at 11:25-12:55, 14:03-15:31, 16:50-16:58; Exhibits B & C (Dkt. 28, 25); Evidence List (Dkt. 30). *See also* Exhibits E, F & G (Dkt. 26, 31, 32). Sampson had seen Johnson's Zane pad design online before he began to market his allegedly infringing pads. Interrogatory from Respondent (Dkt. 34) at Response No. 7 ("Respondent acknowledges that he saw an image of the Claimant's 'Zane' pad design on a public online source around the time he was preparing to list his own pad. Specifically, in fall 2023 (on or about late September), Respondent encountered a photograph of a saddle pad later identified as Claimant's work via social media or a Facebook group. . . . Respondent viewed this image after he had devised his own pattern, but prior to or during the process of advertising his pad.").[1]

6. Sampson obtained the allegedly infringing designs from a third-party supplier in India, who sold him two allegedly infringing pads as part of a larger order in 2023. Conference Tr. at 34:12-35:16, 43:25-44:06. Sampson did not question where the supplier received the allegedly infringing design and did not ask the supplier if the work was copyrighted before he posted an image of one of the pads on Facebook. *Id.* at 35:00-35:15. Nor did Sampson press the supplier on where they received the design after Johnson accused Sampson of infringement. *Id.* at 45:04-45:15. Sampson's interrogatory responses include assertions that Sampson "conceived and created the saddle pad design at issue on his own" and "is the sole designer of this pad." Interrogatory from Respondent at Response No. 5. However, Sampson testified that this was *not* accurate and, as noted in footnote 1, *supra* he did not fill out the interrogatory responses or review them before they were sent to Johnson. Conference Tr. at 49:53-50:15.

7. Based on the methods Johnson sold and advertised pads containing the Zane pattern, described above, Sampson and/or his third-party manufacturer had access to the Zane design before the manufacturing, marking, and selling of the allegedly infringing pads.

8. In addition, the designs sold by Sampson, as shown in Exhibits B, C, E, F, & G, are strikingly similar to Johnson's Zane design.

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[1] Sampson testified (after being questioned by the presiding Copyright Claims Officer as to why certain things he said at the Merits Conference did not line up with his interrogatory responses) that he did not fill out the interrogatory responses or review them before they were sent to Johnson, and that he had not seen them before the day of the Merits Conference. Conference Tr. at 49:53-50:15. While this issue will be part of a separate Order to Show Cause as to why Sampson's attorney should not be found in bad faith, Sampson will be held to the admissions made in his interrogatory responses.

9. Starting on approximately September 25, 2023, Johnson contacted Sampson to inform him that he was selling infringing designs. Exhibits B & C; Conference Tr. at 14:03-15:31, 16:50-16:58.

10. Sampson responded aggressively, but stated that he would take his listings of the alleged infringements down and would tell his weaver to stop making the allegedly infringing designs. Conference Tr.at 15:34-16:19; *see* Exhibit D (Dkt. 29), Exhibit H at 4.

11. While Sampson claims in his Position Statement (Dkt. 24) that there is no evidence that he ever sold or even attempted to sell or market the allegedly infringing design, there is ample evidence that he did. Exhibits B, C, E, F & G.

12. Johnson has presented credible evidence that Sampson continued to sell or attempt to sell the allegedly infringing designs even after telling Johnson he would not. On approximately March 27, 2025, Sampson again listed a saddle blanket with an allegedly infringing design for sale on Facebook, and Johnson discovered that relisting on March 31, 2025. Conference Tr. at 16:20-19:10; Exhibit G; *see also* Claim (Dkt. 1) "Respondents Page" exhibit.

13. Sampson has offered the allegedly infringing design for prices ranging from $150 per pad for high-volume sales to $185 per pad. Exhibits C, E, & F. He usually offers pads for $185 apiece but sometimes puts them on sale for $165 per pad. Conference Tr. at 31:59-32:28.

14. Sampson contends that he "has not sold any copies of the work incorporating [Johnson's] design." Interrogatory from Respondent at Response No. 14; Conference Tr. at 45:49-46:02. Johnson has not presented evidence of any sales by Sampson. Conference Tr. at 28:52-29:10.

15. Sampson has not entered any evidence related to any expenses he had in marketing or selling the allegedly infringing pads. Conference Tr. 27:17-27:29.

16. Sampson testified that after Johnson contacted him, he gave away the allegedly infringing pads—one to a cancer patient in Alabama, and one to a youth group in Kentucky that was having a fundraiser—and he has no more allegedly infringing stock. *Id.* at 41:17-42:10, 46:09-46:49.

The parties have until June 17, 2026, to file submissions that detail which factual findings, if any, they disagree. A party who disagrees with the Board's factual finding(s) must be specific both as to which factual finding(s) they disagree with and the evidence or testimony that contradicts that factual finding(s).

Any filing that disagrees with these factual findings must follow the procedures set forth in 37 C.F.R. § 220.5(b) and be limited to five pages. Nothing should be attached to, or filed with the response, as a party may only rely on

evidence or testimony already submitted, unless the presiding Officer grants leave to do so. More information is available on page 9 of the **Smaller Claims** chapter of the CCB Handbook.