COPYRIGHT CLAIMS BOARD

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

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

ORDER TO SHOW CAUSE REGARDING BAD-FAITH CONDUCT

On June 26, 2025, claimant Julie M. Johnson (Johnon) filed this copyright infringement claim before the Copyright Claims Board (Board) against Sambo Sampson (Sampson). Sampson's representative in this proceeding, Tennessee attorney William Wooten (Wooten), appears to have made false statements in filings, in discovery responses, and in conferences with the presiding Copyright Claims Officer. His representations that the record contained no record of Johnson demanding that Sampson cease infringing were facially untrue; his representations that Sampson came up with the allegedly infringing design himself was flatly contradicted by Sampson himself at the final conference on the merits, and Sampson could not explain why Wooten had made that false statement multiple times during the case. The Board therefore orders Wooten to show cause why his actions in this proceeding do not constitute bad-faith conduct under 37 C.F.R. § 232.3.

I. Wooten falsely claimed that Johnson had not produced evidence of her takedown notices.

On August 20, 2025, Wooten filed a document styled as a response to the claim in which he stated, "although [Johnson] states that she asked [Sampson] 'multiple times' to cease use of the design, the record contains no documentary proof of those communications[.]" Dkt. 13 at 2. Two days later, Wooten filed a formal Claim Response on Sampson's behalf, including the earlier "response" document and restating its contention that Johnson "has not produced documented evidence of notices, takedown requests, or other communication that would demonstrate [Sampson] knowingly ignored her demand." Dkt. 15. That was not true. Supplemental documents filed with the claim (Dkt. 1) included eight screenshots of emails that Johnson sent Sampson in 2023, including:

- an **email** dated October 13, 2023, stating in part, "we demand that you immediately remove the content and halt any additional infringements of our Work . . . A lawsuit will be filed against you if you do not stop using the aforementioned copyrighted content. Furthermore, we demand that you stop using and distributing all infringing works derived from the Work . . . ." *See also* Dkt. 33 at 3.
- an **email** dated October 14, 2023, stating in part, "this is a business matter of having knowledge of being in the possession of copyright infringement products and continuing to sell after you were told to stop . . . This is where my responses end with you unless you are sending me my copyright protected items or a picture of them being destroyed." *See also* Dkt. 33 at 5-6.

- a third **email** sent on March 31, 2024, stating in part: "It has once again been brought to my attention that after I reached out and you said you would no longer sell my design you continue." April 1, 2026 Merits Conference Transcript ("Merits Tr.") at 16:27-19:07; *see also* Dkt. 33 at 8.

At the initial conference, the presiding Officer asked Wooten to elaborate on his contention that no notices or demands related to the alleged infringement had been shown, and Wooten conceded, "there was definitely communications between the two parties, I don't deny that." August 26, 2025 Initial Conference Transcript ("Initial Tr.") at 19:49-23:06. The Officer noted that the claim included "eight attachments basically asking him over and over again to stop," and "to say that she's not given copies or that she's not given evidence of her attempting to get this stuff taken down certainly seemed a bit beyond basic advocacy," and expressly cautioned Wooten that in future filings, "your words do matter." *Id.* at 24:59-25:55.

While the Board focuses in this section on Wooten's claim that Johnson had not provided any evidence of her takedown notices, it notes that Wooten likely crossed the line as well by stating in the Claim Response and in Sampson's written testimony that there was no "side-by-side comparison, metadata, or other objective proof" to show that Sampson's work was a copy of Johnson's work. Dkt. 15; Dkt. 24 at 1. While *technically* Johnson's materials did not include a "side by side" comparison of the works on one page, Johnson submitted plenty of evidence in the Claim and in written testimony to show the works and that one was obviously a copy of the other.

II. Wooten falsely claimed that Sampson created the allegedly infringing work himself.

Wooten repeatedly asserted that Sampson "independently created his saddle blanket design, without knowledge of or access to [Johnson's] registered work. He drew inspiration from widely available public motifs found throughout the Western apparel and tack industry." Dkt. 13 at 4. He further declared that Sampson "stands ready to supply further documentation and testimony, if necessary, to demonstrate the independent origins of his work[.]" *Id.* at 2. Wooten recited essentially the same assertions in his March 25, 2026 position statement prior to the merits conference: "[Sampson] independently created his design without knowledge of or access to [Johnson's] registered work beyond public facing posts, drawing from widely available motifs throughout the Western apparel and tack industry." Dkt. 24 at 2-3.

Wooten took the same position at even greater length in discovery responses, dated October 14, 2025, which he signed and sent to Johnson on Sampson's behalf. In responses to interrogatories, Wooten stated:

> Respondent conceived and created the saddle pad design at issue on his own. In mid-2023, Mr. Sampson developed an idea for a new show pad pattern using traditional geometric motifs (common diamonds, stepped borders, etc.). He is the sole designer of this pad. The concept was formed by Sambo Sampson around summer 2023, and the design's color scheme and pattern were finalized by late September 2023. Respondent arranged for one sample pad reflecting this design to be produced at that time. In other words, Sambo Sampson himself conceived the pattern and had a single prototype pad made in 2023. The design was based on Respondent's independent creative choices and inspiration from widely-used Western patterns, not copied from Claimant's work.

Dkt. 34 at 2 (Response to Interrogatory No. 5).

> Independent Creation / No Infringement: Respondent's primary defense is that he did not knowingly copy any protectable aspect of Claimant's work. He independently created his saddle pad design using common geometric patterns long present in western saddle blankets. There is no direct evidence of copying beyond the incidental use of a photograph. Respondent had limited access to Claimant's design (only a publicly posted image) and had already formulated his own pattern. . . . Respondent will testify that he came up with the design on his own and any resemblance in the finished look was unintended.

Id. at 4 (Response to Interrogatory No. 16). In the same discovery production, Wooten maintained that Sampson would "produce a photograph of the saddle pad design that *he* created and was intending to sell (the design accused of infringing "Zane"). This photo shows the Down The Rail Promotions pad in the color scheme and pattern *Respondent conceived*," and that "[p]hotographs of the Respondent's pad (the finished product) are provided, as they show the outcome of *his design process*." *Id.* at 7 (Responses to Document Request Nos. 5 & 7) (emphases added).

Sampson, to his credit, totally refuted Wooten's position at the merits conference, admitting that he did not conceive of the design whatsoever. He testified that he 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. Merits Tr. at 34:12-35:16, 43:25-44:06. He testified that he 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. When the presiding Officer asked Sampson about the interrogatory responses Wooten had provided in discovery, Sampson's first response was, "I have no idea what you're talking about there." *Id.* at 47:18-48:52. Wooten interjected, "that's obviously his position. They are just general geometric designs, and they were originally created by Mr. Sampson." *Id.* at 49:03-49:13.

Also at the merits conference, Johnson pointed out the discrepancy between Sampson's testimony and Sampson's response to Interrogatory No. 5 that "Respondent conceived and created the saddle pad design at issue on his own. In mid-2023, Mr. Sampson developed an idea for a new show pad pattern using traditional geometric motifs (common diamonds, stepped borders, etc.). He is the sole designer of this pad." *Id.* at 48:22-47:33. When asked about this, Sampson testified that he had not filled out the interrogatory responses, had not reviewed them before Wooten sent them to Johnson in discovery, and did not receive them from Wooten until the morning of the merits conference, which was more than five months later. *Id.* at 49:13-50:10. Sampson also testified that he had not reviewed and authorized the false position statement (Dkt. 34) that Wooten filed before the merits conference: "I've let my attorney handle this." *Id.* at 50:18-50:33.

Sampson's story about how he obtained the allegedly infringing copies is consistent with what he told Johnson in an email dated October 14, 2023: "I from time to time buy extra pads. I asked my supplier if this was someone's design and he said he didn't think so." Dkt. 33 at 7. That version of the facts is credible. It appears that Wooten's repeated contentions that Sampson created the design himself, which have no support in the evidence and are contrary to the story Sampson has told since before the claim was filed, were a fabrication by Wooten.

III. Wooten must show cause why his actions do not constitute bad-faith conduct.

Whenever a party or attorney submits materials or advocates a position before the Board, they certify to the best of their "knowledge, information, and belief, formed after a reasonable inquiry under the circumstances," that:

(a) It is not being presented for any improper purpose;

(b) Any legal contentions are made in good faith based on the [claimant's] reasonable understanding of existing law;

(c) Any factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(d) Any denials of factual contentions have evidentiary support or, if specifically so identified, are reasonably based on belief or a lack of information.

37 C.F.R. §§ 232.2(b), 232.1(a). All participants, again including attorneys, are further required to "behave ethically and truthfully in connection with all submissions and appearances before the Copyright Claims Board." *Id.* § 232.1(b). Attorneys have additional duties "of candor and impartiality toward the Board, and a duty of fairness toward opposing parties." *Id.* § 232.5(d). To assess whether Wooten breached those latter duties, the Board shall consider the rules of professional conduct of the District of Columbia and of Tennessee, the state where Wooten is admitted to practice. *Id.* If the Board finds that Wooten violated his duties or behaved unethically or inappropriately, he may be banned from representing parties in Board proceedings for a period of 12 months. *Id.* § 232.5(e).

The Board may require a party or attorney who has engaged in bad-faith conduct in pursuing a claim or defense, for a harassing or other improper purpose, or without a reasonable basis in law or fact, to pay the other party's reasonable costs (and only those costs when the other party is appearing *pro se* (without a lawyer)). 17 U.S.C. § 1506(y)(2). As Johnson is appearing *pro se*, the costs award is limited to $2,500 absent extraordinary circumstances. 37 C.F.R. § 232.3(d). Recoverable costs are narrow in scope, *see Rimini St., Inc. v. Oracle USA, Inc.,* 586 U.S. 334, 340 (2019), and Johnson evidently paid nothing for service of process. Dkt. 6 at 1. Therefore, unless she can show other recoverable costs, it appears that the only cost she might be able to recover is the Board's $100 filing fee.

The Board orders Wooten to file a response to this order by **June 9, 2026**. The response shall explain why his false statements on Sampson's behalf do not constitute bad-faith conduct as defined in *each* of the Board's regulations referred to above. 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 **June 24, 2026 at 11:00 AM ET**. Wooten 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 Wooten 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 provide only legal information and assistance concerning Board procedures and requirements.

Copyright Claims Board