COPYRIGHT CLAIMS BOARD

Docket number: 24-CCB-0263
July 23, 2026

Cade J. Campbell	*v.*	Dallas County Historical Foundation d/b/a The Sixth Floor Museum at Dealey Plaza
CLAIMANT		**RESPONDENT**

AMENDED ORDER DENYING REQUEST FOR RECONSIDERATION

Claimant Cade J. Campbell ("Claimant" or "Campbell") initiated this claim on September 6, 2024, alleging copyright infringement of a photograph of the Kennedy motorcade on the day of his assassination (the "Work") (Dkt. 1). On May 27, 2026, the Copyright Claims Board ("Board") issued the Final Determination in this proceeding, which found that Respondent Dallas County Historical Foundation d/b/a The Sixth Floor Museum at Dealey Plaza ("Respondent" or "the Museum") did not infringe the Work, and dismissed the claim with prejudice. (Dkt. 57). Campbell filed a request for reconsideration on June 26, 2026 (the "Request") (Dkt. 58). The Board issued a docket note on June 26, 2026 (Dkt. 59), stating that, while the Museum could file a response by July 27, 2026, one was not necessary. Respondent filed its response to the Request on July 16, 2026. (Dkt. 60).

The Board denied the Request on July 17, 2026 (Dkt. 61), and it is now issuing this Amended Order Denying the Request for Reconsideration to address a July 15, 2026 email from Claimant to the Board ("Claimant's July 15 email"). Claimant's July 15 email stated that he wanted to raise a "procedural issue" because he failed to attach as evidence a transcript or recording of a call (noted in his exhibit list) that he had with a third party, Mr. Keya Morgan, in November 2013, and he questioned whether the Board properly considered it. That issue is discussed below.

A request for reconsideration of a final determination must identify a clear error of law or fact that was material to the outcome, or a technical mistake. 17 U.S.C. § 1506(w); 37 C.F.R. §§ 230.1-230.2. Because the Request simply repeats the arguments made in Claimant's previous written testimony and fails to demonstrate that the CCB has made a clear error of law or material fact or a technical mistake in its determination, Claimant cannot meet his burden for reconsideration. Therefore, the Request is denied.

Campbell Cannot Prove by a Preponderance of the Evidence That He Owns the Work.

The Final Determination was not a close question of fact or law. All of the submissions suggested not only that Campbell could not prove ownership of the Work by a preponderance of the evidence, but that it was highly unlikely that the photograph in question was taken at Love Field by the now deceased father of the now deceased man who purportedly sold Campbell the copyright in the Work. Moreover, the evidence was overwhelming and

highly credible that the Museum received the Work (as part of a series of chronological photographs) from the widow of the actual photographer of the Work.

The crux of the Request is that, of the many reasons the Board decided that Campbell did not meet his burden of proof and that the Museum's version of the facts was more credible, each reason, on its own, was flawed and did not prove that the Museum's story was true. In the Request, Campbell asserts the following: that third-party questioning of the Work's provenance before Campbell even obtained ownership was misread; the Board gave insufficient weight to the information and bill of sale from the person who purportedly sold Campbell the Work; the Board gave too much weight to the fact that Campbell's print of the Work (he did not actually have the original negative of the Work) came far later than the timing of the motorcade and was smaller than the image held by the Museum; the Board gave too much credit to various aspects of the Museum's evidence; and, the Board too easily discounted his evidence that the photograph was taken at Love Field and the registration Campbell obtained in the Work.

Moreover, the transcript and recording referred to in Claimant's July 15 email present several issues: (1) the recording is unverified and should accordingly be given little weight even if it were properly submitted, (2) the transcript and recording are new evidence introduced after the Final Determination, (3) Claimant did not raise the transcript or recording in his Party Statement, his Reply Statement, or his Request for Reconsideration, and (4) the only reference to Mr. Morgan in the Final Determination was to mention that third parties were, like the Board, skeptical of Claimant's claims regarding the Work's ownership. However, the Board does not have to address these issues, because even if the evidence had been timely introduced and verifiable, the Board has reviewed the transcript of the recording (Dkt. 63), and it contains no facts or information that would change the Final Determination.

The Claimant's Request, and subsequent reference to the Morgan recording and transcript, miss the point. Any presumption afforded by Campbell's registration of the Work was easily overcome. The transcript and recording provide no information as to the photographer of the Work or its ownership. The totality of the evidence was clearly in the Museum's favor and, more importantly, made it so that Campbell was a far cry from satisfying *his* burden of proof.

The Board's application of the law, supported by the facts, the Copyright Act, and judicial precedent, was not clearly erroneous. The Request does not identify any legal or factual error that would justify reconsideration of the Final Determination, even if the transcript or recording had been properly admitted. Therefore, the Board denies the Request.[1]

Copyright Claims Board

[1] If the Claimant pursues a Request for Register Review, it should be a request related to the review of this Amended Order Denying the Request for Reconsideration and should reference this Amended Order.