COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0354
July 24, 2026

Kia Warren	*v.*	MONTANA ENTERTAINMENT, LLC
CLAIMANT		**RESPONDENT**

ORDER TO SUBMIT DEFAULT DIRECT PARTY STATEMENT

The respondent in Case 25-CCB-0354 has failed to appear or participate in this proceeding before the Copyright Claims Board (Board). After the claimant paid the second filing fee on April 2, 2026, the Board issued a Scheduling Order and a Second Notice to Register for eCCB, which were both also sent to the respondent by mail on April 7, 2026. The Scheduling Order noted the date and time of the pre-discovery conference and required the respondent to register for eCCB by April 29, 2026, and to submit a response to the claim by May 6, 2026. The Board received no communication from the respondent in response.

On May 26, 2026, the Board held a pre-discovery conference. The claimant appeared before the Board at the pre-discovery conference, but the respondent did not. The claimant provided the Board with an email address for the respondent on May 29, 2026. The Board issued a First Default Notice the on May 26, 2026, which ordered the respondent to register for eCCB and file a response by June 25, 2026. The Board issued a Second Default Notice on July 8, 2026, extending the deadline for the respondent to file a response to July 23, 2026. *See* 37 C.F.R. § 227.1(a)-(b). The First Default Notice was mailed to the respondent, and Second Default Notice was mailed and emailed to the respondent.

The Board has received no communication from the respondent to date. The respondent has not registered for eCCB, contacted the Board by email or phone, or filed a response to the claim, and did not attend the pre-discovery conference. Therefore, the Board will proceed according to the regulations governing a default determination. 37 C.F.R. § 227.2(a).

The Board orders the claimant to submit written direct testimony in support of a default determination. 37 C.F.R. § 227.2(a). Written direct testimony consists of:

1. a **party statement** describing the claimant's position on the claims, defenses, and any counterclaims as well as the facts and any law the claimant wants to present that support their position;
2. claimant's documentary **evidence**, along with an **evidence list** that identifies and briefly describes each piece of evidence the claimant is submitting; and
3. optional but recommended **witness statements** from people with personal knowledge about the facts – including the party submitting the testimony – in the proceeding. 37 C.F.R. § 222.15(b).

When uploading the written direct testimony, the claimant must certify that it is accurate and truthful.

If you do not submit a witness statement from yourself (which you are highly encouraged to do, especially if you do not have witness statements from others), be sure to include in your party statement a separate section with an account of all of the facts of your case of which you have personal knowledge. The Board cannot rule in your favor unless you have presented evidence (including the facts that you properly set forth in your written testimony) that proves all the elements of your claim.

Claimant is reminded to submit any evidence related to damages, regardless of whether the claimant has selected actual or statutory damages. This may include evidence related to any revenues lost due to the infringement or the value of the copyright, including amounts charged in the past for licensing the work at issue or similar works, if applicable. Please see page 10 of the **Presenting Your Case** Handbook chapter and the **Damages** chapter for more information. Document requirements, guidance, and instructions for submitting your statement are included in a separate handout that will be emailed to you.

The Board will review all written direct testimony submitted by the claimant and determine whether the evidence is sufficient to support a finding in favor of the claimant. If the Board determines the evidence is sufficient to support a finding for the claimant, it will prepare a proposed default determination. If the Board determines that the evidence is insufficient to support a finding for the claimant, it will prepare a proposed default determination dismissing the proceeding without prejudice. 37 C.F.R. § 227.3(a)-(b).

The claimant is directed to submit all written direct testimony by September 8, 2026. The status conference originally scheduled for July 21, 2026, is cancelled.

Copyright Claims Board