Electronically Filed
Docket: 24-CCB-0263
Document: 65
Filing Date: 07/29/2026 07:18:19 PM EDT

Copyright Claims Board Docket No. 24-CCB-0263

Cade J. Campbell, Claimant,
v.
Dallas County Historical Foundation d/b/a The Sixth Floor Museum at Dealey Plaza,
Respondent.

CLAIMANT'S AMENDED REQUEST FOR REVIEW BY THE REGISTER OF COPYRIGHTS

July 29, 2026

I. INTRODUCTION

Claimant Cade J. Campbell respectfully submits this Amended Request for Review by the Register of Copyrights of the Copyright Claims Board's July 23, 2026 Amended Order Denying Request for Reconsideration (Dkt. 64). This filing supersedes Claimant's July 21, 2026 Request for Register Review (Dkt. 62) and is submitted pursuant to the Board's instruction that any continued Register review address the Amended Order.

QUESTION PRESENTED

Whether the Board abused its discretion by materially replacing the procedural inquiry and alleged errors actually presented by Claimant with different questions and relying on answers to those substitutions as the basis for denying reconsideration.

This dispute concerns one color photograph of President Kennedy's motorcade on November 22, 1963. Claimant attributes it to Jack Jordan at Love Field; Respondent attributes the same image to Jack A. Titus at Cedar Springs. (Dkt. 57, pp. 2, 5-7.) Claimant holds U.S. Copyright Registration No. VAu 1-163,383, effective January 17, 2014. (Dkt. 28, Ex. 1; Dkt. 57, p. 3.) Claimant does not ask the Register to choose between those accounts, reweigh the ownership record, conduct a new trial, or decide the photographer's identity.

Dkt. 64 purported to address Claimant's July 15 inquiry but described uncertainty about whether an identified MP4 had been accepted as a playable exhibit as a failure to attach evidence; conflated that recording with a transcript created later; answered an ultimate-ownership proposition Claimant expressly disclaimed; and recast Dkt. 58 as attacks on isolated evidence before declaring that Claimant had 'miss[ed] the point.' The asserted abuse is that the Board rejected substituted propositions rather than the inquiry and alleged errors actually presented.

Claimant relies only on the existing docket. The evidentiary examples below are included solely to show that the Board's descriptions were materially inaccurate and material to the denial, not to retry ownership or introduce new merits evidence. See 37 C.F.R. § 231.4.

II. PROCEDURAL BACKGROUND

The Board issued its Final Determination on May 27, 2026, dismissing the claim with prejudice after finding that Claimant had not proved ownership by a preponderance. (Dkt. 57.) On June 26, Claimant filed a ten-page Request for Reconsideration stating at the outset that the alleged errors were 'not merely disagreements with the outcome' but concerned the evidentiary premises used to reject ownership. (Dkt. 58, p. 1.)

While reconsideration remained pending, Claimant sent the Board and Respondent's counsel a July 15 email titled 'Procedural Clarification Regarding Exhibit 6A / Keya Morgan Recording.' Claimant stated that the recording had been identified as Exhibit 6 / 6A and produced to Respondent during discovery, expressly disclaimed supplemental argument or surprise evidence, and asked whether the MP4 had been accepted into eCCB as a playable exhibit and whether any corrective procedural step was required. (Dkt. 63, Exhibit A, packet p. 3; Exhibits C-D, packet pp. 14-19.)

Respondent opposed reconsideration on July 16. The Board denied it on July 17, stated that the Request 'misses the point,' and did not address the July 15 email.

(Dkts. 60-61.) Claimant filed the original Register-review request and exhibit packet on July 21. (Dkts. 62-63.) On July 23, the Board issued Dkt. 64 specifically to address the July 15 email. Dkt. 64 directed that any continued Request for Register Review concern and reference the Amended Order. (Dkt. 64, p. 2 n.1.)

III. GOVERNING STANDARD

A reconsideration request must identify a specific clear error of law or fact material to the outcome or a technical mistake, rather than merely repeat prior argument. 17 U.S.C. § 1506(w); 37 C.F.R. § 230.2. Register review is limited to whether the Board abused its discretion in denying reconsideration; the Register may deny review or remand specified issues, and the request may not exceed twelve pages. 17 U.S.C. § 1506(x); 37 C.F.R. §§ 231.2, 231.5-.6.

Claimant does not seek a new ownership finding. Claimant contends that Dkt. 64 denied reconsideration on materially inaccurate descriptions of the procedural inquiry, the Morgan issue, and the structure of Dkt. 58.

IV. THE AMENDED ORDER MATERIALLY MISSTATES THE JULY 15 PROCEDURAL INQUIRY

The July 15 email did not say that Claimant forgot to submit the recording. It stated that the recording had been identified in Claimant's exhibit materials and produced to Respondent, but that Claimant was uncertain whether 'the media file itself was successfully accepted into eCCB as a playable exhibit.' Claimant expressly disclaimed supplemental argument and surprise evidence and asked whether a notice, corrected submission, request, or other procedural clarification was required. (Dkt. 63, Exhibit A, packet p. 3; Exhibits C-D, packet pp. 14-19.)

THE RECORD COMPARED

JULY 15 INQUIRY: Whether the previously identified MP4 had been accepted into eCCB as a playable exhibit and whether a corrective procedural step was required. (Dkt. 63, Exhibit A, packet p. 3.)

DKT. 64'S DESCRIPTION: Claimant raised the issue "because he failed to attach as evidence a transcript or recording." (Dkt. 64, p. 1.)

DKT. 64'S ANSWER: The recording and transcript "provide no information as to the photographer of the Work or its ownership." (Dkt. 64, p. 2.)

Dkt. 64 instead says Claimant raised the issue 'because he failed to attach as evidence a transcript or recording.' (Dkt. 64, p. 1.) Those are not equivalent statements. The order converts a request to verify the status of a previously identified media file into an admission that Claimant failed to attach the evidence. Claimant does not contend that identification in an exhibit table or production in discovery automatically established formal admission. That uncertainty was the reason for the inquiry. Dkt. 64 does not state whether the MP4 was accepted, rejected, accessible, playable, or reviewed. Because the amended order was issued specifically to address the July 15 email, it could not cure the prior omission by materially misstating the inquiry.

V. THE BOARD CONFLATED THE PREVIOUSLY IDENTIFIED RECORDING WITH THE LATER TRANSCRIPT

The recording and the transcript had different procedural histories. Claimant's May 2025 exhibit table separately identified 'EXHIBIT 6A Keya Morgan Audio Recorded Phone Call about Jordan Photo,' and the April 3 discovery email attached the MP4. (Dkt. 63, Exhibit C, packet pp. 16-17; Exhibit D, packet p. 19.) The timestamped transcript was prepared and filed later with Dkt. 63.

Dkt. 64 groups 'the transcript and recording' together as 'new evidence introduced after the Final Determination.' (Dkt. 64, p. 2.) The timestamped transcript was newly prepared and filed. The recording's existence and identity were not: it had been separately identified as Exhibit 6A and produced to Respondent before written testimony concluded.

Dkt. 64 also states that Claimant did not raise 'the transcript or recording' in Dkt. 58. The transcript did not yet exist, but Dkt. 58 expressly raised the Keya Morgan negotiations and alleged that the Board materially misread them. What Dkt. 58 did not claim was that the call independently proved authorship. Formal admission of the MP4, the merits purpose for which Morgan was raised, and the later technical question concerning whether the MP4 was accepted and playable are separate issues. Conflating them did not accurately describe their procedural histories.

Dkt. 64 says the Board reviewed 'the transcript of the recording' but does not say it reviewed the recording itself or resolve whether the MP4 had been accepted and playable. Review of a later transcript answered a retrospective content question, not the record-status question Claimant actually asked.

VI. THE BOARD ANSWERED AN ULTIMATE-OWNERSHIP PROPOSITION CLAIMANT EXPRESSLY DISCLAIMED

Keya Morgan was a prospective purchaser in a November 2013 negotiation concerning the photograph and associated rights. (Dkt. 57, pp. 2-4; Dkt. 58, pp. 1-2.) Dkt. 58 raised the Morgan negotiations as part of its challenge to the Final Determination's provenance and credibility analysis. (Dkt. 58, pp. 1-2.) Dkt. 62 later explained why the technical-status inquiry mattered: whether the Board had access to the actual recording rather than only written references to the exchange. **Claimant did not contend that the recording independently proved authorship or ownership. (Dkt. 62, pp. 1-2, 5-7, 9-10.)**

Dkt. 64 answered that the recording and transcript 'provide no information as to the photographer of the Work or its ownership.' (Dkt. 64, p. 2.) That rejects a proposition Claimant expressly disclaimed. Dkt. 64 also says the Final Determination mentioned Morgan only as another skeptical third party, although Dkt. 57 described the proposed $750 transaction, criticism of the print, Claimant's statement concerning the April 1964 copy, Morgan's continued offer to buy the photograph and claimed copyright, a plan to obtain copies and register the copyright, and Claimant's recommendation that Ron Jordan reject the offer. (Dkt. 57, pp. 2-4.)

Dkt. 64 expressly stated that the Board "does not have to address these issues" because, after reviewing the later transcript, it concluded that the transcript contained no facts or information that would change the Final Determination. (Dkt. 64, p. 2.) The substituted ultimate-ownership inquiry therefore was not incidental wording. It became the stated reason for not resolving the separate recording-and-transcript issues the Board itself had identified.

The material question is not whether the recording, considered alone, would compel a different ownership result. It is whether the Board denied reconsideration upon an accurate understanding of the Morgan issue actually presented.

VII. DKT. 64 MISSTATED THE STRUCTURE OF THE RECONSIDERATION REQUEST

The evidentiary references in this section are included only to compare the argument Dkt. 58 presented with the argument Dkt. 64 described and rejected. Claimant does not ask the Register to decide that the photograph was made at Love Field, identify the photographer, or assign new weight to the ownership evidence.

Dkt. 64 characterizes the 'crux' of Dkt. 58 as an argument that each of Respondent's evidentiary reasons, considered separately, was flawed or insufficient to establish Respondent's account. It then states that Claimant 'miss[es] the point' because the

totality of the evidence favored Respondent. (Dkt. 64, pp. 1-2.) Dkt. 58 presented a different challenge.

Dkt. 58 did not argue that every item had to prove or disprove the entire case independently. It challenged whether particular categories of evidence were used to support conclusions they could logically establish. A processing date may establish when a physical print was processed without identifying the photographer or source negative. A transparency showing a wider image area may bear on copy or cropping history without identifying who took the photograph. Collection possession, labeling, and a transfer instrument may establish provenance and transfer, but a transfer conveys only whatever rights the transferor possessed. (Dkt. 58, pp. 3, 5-6, 8.) These included challenges to evidentiary function and factual premise, not merely requests to assign each item more favorable weight.

The same distinction governed the Love Field issue. Dkt. 58 presented a composite, location-specific reconstruction based on Ron Jordan's boarding-ramp account, route and timing evidence, the airport operational environment, and identified differences between the disputed image and the complete Cedar Springs/Hine Pontiac setting. (Dkt. 58, pp. 6-8.) The approximately thirty-second interval from 26:31 to 27:00, while the limousine was outside the WFAA camera's view, was offered as a feasibility window, not as independent proof that the photograph was made during that interval. (Dkt. 55; Dkt. 56, Ex. C; Dkt. 58, pp. 6-8.) The Proctor and weather materials likewise were offered as environmental and feasibility evidence, not as conclusive proof of authorship. (Dkt. 56, Ex. C; Dkt. 58, pp. 6-8.) Dkt. 57 reduced this combined presentation to observations concerning a vehicle's color, a mechanic, and asphalt. (Dkt. 57, pp. 4, 7.) Whether the reconstruction ultimately persuaded is separate from whether the Board accurately described the argument before rejecting it.

The statement that the 'totality' favored Respondent did not itself answer Dkt. 58's contention that the cumulative conclusion had been constructed by assigning particular evidence an authorship effect it could not independently carry. The Board remained free to reject that contention. The alleged error is that Dkt. 64 described and rejected a materially different contention concerning isolated evidentiary weight.

VIII. THE 'ACTUAL PHOTOGRAPHER' LANGUAGE CONFIRMS WHY DKT. 58'S STRUCTURAL CHALLENGE MATTERED

Dkt. 57 questioned 'the statements of the now-deceased Ron Jordan about what his deceased father told him' and referred to Jack Titus as the person 'who the Museum claims is the Work's actual photographer.' (Dkt. 57, pp. 3 n.3, 4.) Dkt. 64 then described Claimant's asserted chain through the 'now deceased father of the now deceased man who purportedly sold Campbell the copyright in the Work,' while stating categorically that Respondent received the Work from the widow of the 'actual photographer of the Work.' (Dkt. 64, pp. 1-2.) Claimant does not ask the Register to choose between the two asserted chains. The significance of Dkt. 64's wording is that it states the disputed authorship conclusion categorically when denying reconsideration.

Dkt. 58 did not contend that Respondent's possession, Gift Agreement, collection labels, family recollection, or circulation evidence were irrelevant. It contended that these categories bore on provenance and transfer but did not, without the disputed sequence attribution, independently establish that Jack Titus took the photograph. By contrast, the Final Determination evaluated Claimant's registration, notarized transfer documents, and Ron Jordan's specific account as insufficient to overcome Respondent's Titus attribution, which Dkt. 64 later restated categorically. (Dkt. 57, pp. 3-7; Dkt. 64, pp. 1-2.)

That distinction is also visible in the Gift Agreement itself. The document described the donated material only as 'Five 35mm color slides of the Kennedy motorcade, November 22, 1963,' did not individually identify the disputed photograph, and did not state that Jack Titus photographed any of the five images. It separately stated: 'The Donor wishes the gift to be acknowledged to the public as: Jack A. Titus Collection.' (Dkt. 45, Ex. 1; Dkt. 58, p. 8.) The agreement therefore supplied a donation document and a collection name, but did not independently identify who took the photograph.

Claimant does not contend that a transfer instrument must recite authorship to be legally effective. The narrower point is evidentiary: this agreement did not itself identify the photographer whose copyright the donor purported to transfer.

That sequence challenge was structural. The three fifty-one-slide Tullius copy sets were not the alleged five-slide Titus donation. (Dkt. 45, Exs. 1-2.) Stephen Fagin, the Museum's Head of Curatorial, testified that the Museum held those three copied sets. (Dkt. 45, Ex. 2.) The Museum's 2013 accession record described the donation as copies containing work by several photographers and stated that rights were acquired only for images made by Tullius. (Dkt. 45, Ex. 7.) In a July 3, 2012 email, the late Gary Mack, then curator of The Sixth Floor Museum, wrote that the Museum needed to identify the other photographers and that he had 'no idea who took the other pictures or when.' (Dkt. 45, Ex. 6.) The email did not specifically identify the five images later attributed to Titus.

These were limitations within Respondent's own institutional record, not outside speculation. The cited copied-slide evidence did not itself identify the photographer of the five images later attributed to Titus. Its relevance was narrower but material: Respondent's copied-slide record documented three copied sets, work by several photographers, rights limited to images made by Tullius, and unresolved photographer identification within that copied-slide record. (Dkt. 45, Exs. 2, 6-7.)

The Board nevertheless accepted Respondent's ultimate Titus attribution without explaining why those institutional limitations were immaterial to the sequence challenge Dkt. 58 presented. (Dkt. 57, pp. 5-7; Dkt. 64, pp. 1-2.)

Dobbie did not witness the photographs being made and stated that they were not displayed or regularly discussed in the family; she also identified no source for the separate set possessed by her maternal grandfather. (Dkt. 58, p. 4; Dkt. 56, Ex. D; Dkt. 55, pp. 4-6.) Separately, Dkt. 58 identified evidence associating alleged 'Titus slide #3' with a conflicting S. Winters/Great Western Finance attribution. (Dkt. 58, pp. 4-5; Dkt. 32, Ex. 26; Dkt. 55, pp. 5-6.) The cited materials identify no connection between Dobbie's grandfather's set and S. Winters. (Dkt. 58, pp. 4-5; Dkt. 32, Ex. 26; Dkt. 55, pp. 4-6; Dkt. 56, Ex. D.)

Claimant also challenged the authorship significance of the wider transparency and the Cedar Springs/Hine materials. These circumstances did not require the Board to reject the Titus attribution. They explain why Dkt. 58 challenged the bridge from possession and sequence placement to the conclusion that Titus was the 'actual photographer.' (Dkt. 58, pp. 5-8.)

The Board was entitled to reject that challenge. The issue is whether Dkt. 64 accurately understood it before doing so. Dkt. 64 characterized the objections as attacks on isolated items and answered that the totality favored Respondent. The question for Register review is not whether the chains were equally persuasive. It is whether the Board denied reconsideration after accurately understanding the structural challenge Dkt. 58 presented.

IX. THE MISDESCRIPTIONS WERE MATERIAL TO THE DENIAL

Dkt. 64's reasoning rests on four material substitutions: that Claimant raised the July 15 inquiry because he failed to attach evidence; that the original MP4 and later transcript shared one post-determination procedural history; that the Morgan issue mattered only if the call independently identified the photographer or ownership;

and that Dkt. 64 treated Dkt. 58 as challenging only the isolated weight of individual items, without addressing Dkt. 58's additional challenges to the evidentiary functions and premises used to construct the cumulative conclusion. (Dkt. 64, pp. 1-2; Dkt. 58, pp. 1-9.)

Even if the Board determines that the MP4 was not successfully accepted and attributes that result to Claimant, that determination would answer the technical record-status question against Claimant. It would not make the original recording and later transcript procedurally identical, erase Dkt. 58's discussion of the Morgan negotiations, or transform the call into independent authorship evidence Claimant never claimed it was.

The same materiality problem applies to Dkt. 58 as a whole. Because Dkt. 58 challenged both the logical use of evidentiary categories and the weight assigned to particular evidence, the statement that the 'totality' favored Respondent did not itself resolve the separate premise-based challenge. The alleged error concerned how that totality was constructed.

The Board was entitled to reject the inquiry and alleged errors Claimant actually presented. It was not entitled to substitute materially different questions and rely on answers to those substitutions as the reasoned basis for denial. A limited remand would require no ownership determination by the Register. It would require the Board to answer the procedural inquiry, distinguish the recording from the later transcript, and reconsider Dkt. 58 upon an accurate description of its arguments. See 37 C.F.R. § 231.6.

X. REQUESTED RELIEF

Claimant respectfully requests that the Register find that the Board abused its discretion in denying reconsideration through the July 23, 2026 Amended Order and remand specified issues to the Board under 37 C.F.R. § 231.6.

On remand, Claimant respectfully requests that the Board be directed to:

1. Accurately state the July 15 procedural inquiry as a question about whether the previously identified MP4 was accepted into eCCB as a playable exhibit, rather than as an admission that Claimant failed to attach the evidence;

2. Determine and state whether the original Keya Morgan recording was accepted into or rejected from eCCB; whether it was accessible and playable; and whether it was reviewed, as distinct from the later transcript filed in Dkt. 63;

3. Reconsider Dkt. 58 upon an accurate understanding that it challenged the evidentiary functions and factual premises used to construct the cumulative ownership conclusion, including the limited purpose for which Claimant raised the Morgan issue, rather than merely arguing that each item of Respondent's evidence was individually insufficient; and

4. Issue an amended determination addressing those specified matters and any effect, if any, the Board finds they have on the ownership determination.

Claimant seeks only this limited remand and does not ask the Register to identify the photographer, reweigh the full record, or enter an ownership determination.

Respectfully submitted,

/s/ *Cade J. Campbell*

Cade J. Campbell
Claimant, pro se
5820 CR 1022
Joshua, TX 76058
entertainmenthistoryllc@gmail.com
Date: July 29, 2026

Certificate of Service

I certify that on July 29, 2026, I filed this Amended Request through eCCB, thereby serving Respondent's counsel through the eCCB system.

/s/ *Cade J. Campbell*
Cade J. Campbell

Proof of Delivery

I hereby certify that on Wednesday, July 29, 2026, I provided a true and correct copy of the Claimant's Amended Request for Register Review to the following:

Dallas County Historical Foundation AKA Sixth Floor Museum at Dealey Plaza, represented by Charles Ed Phipps, served via ESERVICE at cphipps@lockelord.com

Signed: /s/ Cade J Campbell