COPYRIGHT CLAIMS BOARD

Docket number: 26-CCB-0647
October 19, 2026

Sean A. Tewodros Linzy	*v.*	Amblin Partners, Eric Beeney, Gregory Burke, My Leafs, LLC, Rupert Wyatt, Storyteller Distribution Company, LLC, and Storyteller Development, LLC
CLAIMANT		**RESPONDENTS**

ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is amended.

If you wish to proceed with this claim, you must file an amended claim by **November 18, 2026**. If you do not, the Board must dismiss your claim without prejudice, although you may file again in the future before the Board or in federal court. If you file an amended claim and it is found compliant, you will be notified and directed to proceed with service. There is no additional filing fee for an amended claim. 17 U.S.C. § 1506(f)(1)(B).

To make your amended claim compliant, you must resolve the issues identified below. **37 C.F.R. § 224.1(c)(2)**. You may also choose to correct any errors or edit other information in your claim before you file it again. You do not need to provide a legal argument in your claim – just a statement of facts and circumstances. Being specific in your description gives the other party and the Board more information about your claim. There is no character limit, so please be as detailed as possible.

Respondent Address

Your claim must include **each** respondent's mailing address. 37 C.F.R. § 224.1(c)(2). Claims before the Board can be brought only against respondents who reside in the United States. 17 U.S.C. § 1504(d)(4).

Your claim lists the same address for all seven respondents. The address appears to be a corporate address for some of the corporate respondents, but it appears to be incorrect for at least some of the respondents. For example, three of the respondents are individuals; exhibits filed with the claim indicate that they were or may have been involved in writing the screenplay of the allegedly infringing 2019 motion picture *Captive State*, and that one of the three, Rupert Wyatt, also directed and produced the movie. The claim does not indicate that any of the individual respondents maintains a residence at the corporate office of any studio or other entity involved with that motion picture seven years ago.

If you file an amended claim, it must include a valid mailing address for each respondent. Any respondent(s) for whom you do not have a valid United States address should be omitted from the amended claim.

Copyright Infringement – Elements

You have brought a copyright infringement claim before the Board. Your claim must make enough factual allegations to support each "element" of the claim. The elements of a copyright infringement claim are:

1. You own a valid copyright in the work, or have been given an exclusive license to the copyright rights at issue in the work,
2. The respondent used one of your exclusive rights in the work without permission,
3. The respondent had access to your work, meaning a reasonable opportunity to view your work before the infringing activity took place, and
4. The respondent's work is substantially similar to the original elements of expression in your work.

More information about the elements required to assert a claim of copyright infringement is available in the **Starting an Infringement Claim** chapter of the CCB Handbook. Your claim does not provide clear facts to support the elements related to each respondent's allegedly infringing activity, their access to your work(s), and the substantial similarity of their work to expressive material in your work(s), as described below. Please provide more details and background regarding these elements in your amended claim.

Infringing Activity

For each respondent you name as an alleged infringer, you must state allegations regarding that respondent's allegedly infringing activity.

Copyright law grants exclusive rights to copyright owners. These include the right to reproduce, distribute, and publicly perform the work, and to make a "derivative work," which is a work based on the original work. Someone who does one of those activities without the copyright owner's permission may be infringing the copyright, unless they have a legitimate defense. More information about exclusive rights is available on page 3 of the **Starting an Infringement Claim** chapter of the CCB Handbook.

You allege infringement of three literary works, which appear to be different editions of the same work, and you "allege that protected creative elements from these works were incorporated into the motion picture *Captive State*." Your claim does not present facts that clearly state how each respondent used your exclusive rights in the allegedly infringed works without permission. In particular:

- A document dated January 17, 2017, filed with the claim at page 20 of the exhibit labeled "**9EYES 9DF VS CAPTIVE STATE VISUALS 00.pdf**" seems to show that respondent MyLeafs, LLC quitclaimed its rights in *Captive State* to respondent Storyteller Development, LLC, but no documents or allegations clearly indicate what role, if any, either of those respondents played in creating *Captive State*.
- A document dated February 28, 2017, filed with the claim at pages 28-32 of the same exhibit, seems to show that respondents Storyteller Distribution Company, LLC and Storyteller Development, LLC transferred their interests in the copyright for the *Captive State* screenplay and motion picture to Focus Features LLC in February 2017. However, no documents or allegations clearly indicate what role, if any, Storyteller Distribution Company, LLC played in creating *Captive State*.

- The same February 28, 2017 document includes a reference to the "screenplay presently entitled 'Captive State' written by Gregory Burke," but that respondent's name is crossed out, and a footnote indicates that Rupert Wyatt and Erica Beeney were the screenwriters. No documents or allegations clearly indicate what role, if any, Gregory Burke played in creating *Captive State*.

Thus, your allegations do not describe actions taken *by each respondent* to use your works in a way that would infringe your exclusive rights. You do not appear to state facts that support making each respondent a respondent to your claim. If you submit an amended claim, it must include facts that explain or show how *each* respondent infringed your copyright. If you cannot state facts to support an infringement claim against any respondents, you must not name those individuals or entities as respondents in the amended claim.

Access

Your claim does not provide enough facts about how the respondents had access to your works. "Access" means a reasonable opportunity to view or copy your work before the alleged infringement took place. Your claim does not include enough specific facts about where or how your works were available before the alleged infringement to indicate that the respondents had an opportunity to view or copy your works.

You allege generally that copies of your works "were distributed to other individuals," and that you possess sales records for the works. Those general assertions are not sufficient to show that your works were so widely distributed that the respondents' access to the works is reasonably likely. Documents filed with the claim at pages 5-9 of the exhibit labeled "**ORIGINAL STATEMENT CLAIM FORM 00.pdf**" appear to show that your works have sold only a few copies per year.

To address this issue, you must file an amended claim with allegations that make access a reasonable possibility, not just hypothetically or theoretically possible. Acceptable allegations of access may include that your works (a) were sent directly to a respondent or a close associate of a respondent; (b) were widely disseminated or were available to the public or respondents; or (c) are so strikingly similar to the respondents' work that they could not have been created independently.

Substantial Similarity

An allegedly infringing work must be substantially similar to copyright-protected elements in the allegedly infringed work(s). If it is not readily apparent from supplemental documents that are submitted with the claim, you must provide specific allegations about how the respondent's work is similar to expressive material in your works that copyright protects. Your claim does not include enough facts to indicate how *Captive State* is substantially similar to original, expressive elements that copyright protects in your works.

Copyright protection extends only to copyrightable subject matter, and copyright law protects only the components of a work that are original to the author. Information about copyrightable authorship is available in Sections 302, 308, and 313 of **Chapter 300** of the *Compendium of U.S. Copyright Office Practices, Third Edition*. Not all elements of a creative work are protected by copyright, and not all similarities are infringing. For instance, ideas and

stock elements that are common to a particular subject matter or medium are not protected by copyright. *See* Compendium Sections 313.3(A) and 313.4(I). Copyright can protect only the particular way such things are expressed, provided they contain a sufficient amount of original authorship.

The supplemental documents filed with the claim include multiple lists of certain alleged elements of your works and *Captive State*, but the alleged similarities identified appear to relate to general, stock elements of a science-fiction work, not to expressive material that copyright protects. You have not identified substantial similarities that would support the infringement claim.

If you submit an amended claim, it must include more allegations that support the element of substantial similarity. Please provide more details and background regarding this element in your amended claim, including a clear, detailed statement regarding which portions of your works were taken by the respondents in the allegedly infringing work, or documents that are sufficient to show the similarities. Include more factual allegations that state, or supplemental documents that show, how much of your works were used in the respondents' work. For example, if *Captive State* replicated specific textual passages, characters, or events from your works, your amended claim should clearly state how the works are substantially similar. You may also submit copies of your works and the allegedly infringing motion picture, or its screenplay, as supplemental documents if they are sufficient to show the similarities between the two works. If you include copies of the works at issue as supplemental documents, they must be clearly labeled and identified so they can be properly compared to each other.

Relief

The Board is authorized to grant only certain forms of relief. In the "Describe how you were harmed as well as your request for monetary relief" section of the claim, you include a request for "recovery of any costs or attorney's fees to the extent permitted by applicable law." That request is not proper as the Board can grant such relief in only certain circumstances. Costs and fees are awarded only in cases where the Board finds the other party acted in bad faith during the course of the proceeding. 17 U.S.C. § 1506(y)(2). Costs incurred before the other party participates in the proceeding are not a basis for relief in a Board proceeding. Therefore, your requests for such costs and fees are not proper at this stage. If you file an amended claim, you must omit those requests, and do not seek relief that the Board cannot grant. More information is available in the **Damages** chapter of the CCB Handbook.

To submit an amended claim, log into your eCCB account and take the following steps:

1. From your dashboard, click the "**Amend claim**" button and select your docket number from the dropdown list.
2. Your claim will unlock for editing. The information you originally entered will appear in the same order as in your original claim.
3. Make the necessary edits. If you have filed supplemental documents, you must re-upload any documents you wish to include in the amended claim on the "**Documentation**" page. Please include only documents directly related to your claim, and label them clearly.

4. Once you have completed your edits, continue to click through the fillable claim form until you reach the "**Review"** page. The Review page includes all the information that you have provided in the claim up to this point. Carefully double-check the information on this page. If you have any corrections, you can select "**Edit**" to revise any entries necessary. Each section of information has an "**Edit**" button, which will take you back to that section so you can make changes. After you make changes, you can click "**Save & review**" to return to the Review page. Please review your claim carefully. Once you submit your amended claim, you will be unable to edit the claim while it is in compliance review.
5. Once you have completed your review and any revisions, you must confirm that the information in your claim is accurate and truthful to the best of your knowledge. To complete the declaration, type your full name into the "**Digital signature**" box near the bottom of the "**Review filing**" page and click "**Agree & submit**."

If you have questions, please contact **asktheboard@ccb.gov**. Include your 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. If you would like to seek further guidance from a lawyer or a law student at reduced or no cost, please visit the **Pro Bono Assistance** page on ccb.gov. You also may refer to the **Compliance Review** chapter of the CCB Handbook for more assistance.

Copyright Claims Board