COPYRIGHT CLAIMS BOARD

Docket number: 26-CCB-0650
October 22, 2026

Combat Veterans Motorcycle Association, MA2-1, Inc.	*v.*	Scott Deveau
CLAIMANT		**RESPONDENT**

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 23, 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 or edit any errors or 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.

Allegedly Infringing Activity

You are raising a claim of copyright infringement. Your claim must include facts that indicate that the respondent engaged in some activity infringing your copyright, such as reproducing, distributing, or publicly displaying your work, or making a "derivative work," which is a work based on the original work. Your only allegation of supposed infringement in this proceeding is that the respondent applied to register the copyright for a work that you allege is derivative of your work. However, registering a copyright does not constitute an act of copyright infringement, even if the person or entity who registered the copyright does not own the copyright. Furthermore, the purpose of the act of submitting an application for copyright registration would be for the respondent to claim ownership of the work, and the Board does not hear disputes related entirely to ownership.

If you submit an amended claim, it must more fully explain how the respondent engaged in activity that infringed the copyright in your work, for example, by copying, distributing, or publicly displaying your work or an unauthorized derivative work. You should be as detailed as possible, specifying what the respondent did in relation to the work you allege was infringed. More information is available in the Starting an Infringement Claim chapter of the CCB Handbook.

Noninfringement

You are also raising a claim for a declaration of noninfringement. A noninfringement claim asks the Board to find that your actions do not amount to an infringement of the respondent's copyrighted work. 17 U.S.C. § 1504(c)(2). If someone has accused you of infringing their copyright, a noninfringement claim requests an official declaration that you did not infringe. The claim must describe the reasons why you believe that there is an "actual controversy" about the requested declaration. 37 C.F.R. § 222.2(c)(8)(v). To raise a noninfringement claim, you must show that the respondent's actions make it reasonably likely that the respondent will sue you for infringement.

Your noninfringement claim describes how the respondent obtained a copyright registration for a work (Reg. No. VAu001539503) and claimed authorship of that work, which you contend is an infringing derivative of your work. You also allege that in a comment on a social media post on September 26, 2025, the respondent asserted that you do not have his permission to use your work. Those allegations do not indicate that there is a reasonable prospect that the respondent will raise an infringement claim against you. The respondent's social media comment was not sufficiently threatening to cause a reasonable apprehension of suit, and it was made more than a year before you filed this claim on October 12, 2026. Your allegations indicate that the respondent contended a year ago that your work may be an infringing work, but they do not indicate that he will act affirmatively to enforce the copyright that he claims. Thus, you have not shown that a lawsuit is reasonably imminent to support a declaration of noninfringement claim.

IF you file an amended noninfringement claim, it must include more facts that indicate that the respondent is reasonably likely to sue you for copyright infringement. If you cannot present such facts that are sufficient to support a noninfringement claim, you should omit it from any amended claim you file.

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 only provide 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 may also refer to the **Compliance Review** chapter of the CCB Handbook for more assistance.

Copyright Claims Board