COPYRIGHT CLAIMS BOARD

Docket number: 26-CCB-0656
October 23, 2026

Michelle Shocked	*v.*	Meta
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.

Online Service Provider

Your copyright infringement claim includes information that indicates that the respondent Meta is an online service provider (OSP). In this context, an OSP is a provider of online services to store (and make available), refer to, provide access to, or link to material that is available online and that was created by someone other than the OSP. Your allegations that infringing acts occurred on Facebook and Instagram, and that Meta "refuses to remove" copyright-protected works, in "violation of Section 512" and with "red flag knowledge of infringement," indicate that your claim is based on Meta acting as an OSP in relation to material that others posted online. Your claim does not include specific facts required in an infringement claim against an OSP before the Board.

"Safe harbors" in section 512 of the Copyright Act shield certain OSPs from paying damages for copyright infringement claims if, among other things, the OSP takes steps to quickly remove or disable access to infringing material when a copyright owner notifies them about the infringement through a proper takedown notice. To avoid liability, OSPs must follow procedures specified in section 512 when they receive takedown notices alleging infringement, and counter-notices seeking the re-posting of the allegedly infringing material. In an infringement claim against an OSP that is eligible for a section 512 safe harbor, the claimant must state facts that indicate that the

respondent did not follow those procedures. Under the CASE Act, when a claimant raises a copyright infringement claim against an OSP for storing, or referring or linking to, infringing material, the Board must find the claim noncompliant unless the claimant affirms that the claimant sent a takedown notice to the OSP as required by section 512 of the Copyright Act, and that the OSP failed to remove or disable access to the material expeditiously when it received the takedown notice. 17 U.S.C. § 1506(f)(1)(C).

Your infringement claim does not provide enough information about Meta's activities to overcome the safe harbor provisions. Instead of the required affirmation, in response to a question in the claim form that asked if the respondent is an OSP, you answered "No." Your allegations do not describe any particular take-down notice, when it was sent, which allegedly infringing user post was at issue, and when and how Meta responded. Your assertions that infringing acts occurred somewhere on Facebook and Instagram, and that "[i]n some examples, exact copies of my sound recordings are being performed and in other examples, unlicensed cover versions of my musical works are being performed," are not specific enough about which allegedly infringing acts you contend Meta failed to remedy, after receiving takedown notices regarding those acts. Exhibits filed with the claim appear to show the text of three email takedown notices addressed to Meta on October 14, 2026, less than eight hours before the claim was filed that evening. Those exhibits do not show that Meta failed to *expeditiously* respond to any takedown notice.

To proceed with a claim based on Meta "refus[ing] to remove" allegedly infringing material posted by others, you must clearly allege and affirm, if truthful, that you sent Meta a takedown notice that complied with section 512, and that it failed to expeditiously remove or disable access to the material. You must answer "Yes" to all four OSP questions in the claim form, including: "Did the online service provider fail to expeditiously remove or disable access to the material after you sent a takedown notice?" You also must state specific facts supporting those allegations, including what of your material was infringed, how it was infringed (with specific facts for each alleged infringement), what actions you took to comply with section 512, and how Facebook failed to expeditiously respond. You must include additional information about the date(s) that you sent Meta the takedown notice(s), which allegedly infringing Facebook or Instagram post was at issue, any counter-notices received, and Meta's subsequent actions. Please visit the **section 512** page and the discussion at pages 18-19 of the chapter on **Starting an Infringement Claim** in the CCB Handbook for additional information about what section 512 requires for an infringement claim against an OSP.

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

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