COPYRIGHT CLAIMS BOARD

Docket number: 26-CCB-0665
October 30, 2026

Aaron Williams	*v.*	Meta Platforms, Inc. c/o Corporation Service Company (CSC)
CLAIMANT		**RESPONDENT**

SECOND ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim, as amended, still does not comply with the requirements of the CASE Act and related regulations. 37 C.F.R. § 224.1(c)(2). If you wish to proceed with this claim, you must file a second amended claim by **November 30, 2026**. If you do not file a second amended claim that resolves the issues identified below, the Board must dismiss your claim without prejudice, although you may file again in the future before the Board or in federal court. There is no additional filing fee for an amended claim.

You may also choose to correct or edit any errors or other information in your amended 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. If your second amended claim is found compliant, you will be notified and directed to proceed with service.

Allegedly Infringing Activity—Fair Use

The allegations, and the facts presented in the amended claim and supporting documents, still indicate that the poster's use of the allegedly infringing material on Facebook is a fair use and does not constitute copyright infringement.

As mentioned in the Board's October 29, 2026 Order to Amend Noncompliant Claim ("Order"), four non-exclusive factors are considered when analyzing fair use: (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and, (4) the effect of the use upon the potential market for or value of the copyrighted work. 17 U.S.C. § 107; *Andy Warhol Foundation for the Visual Arts, Inc. v. Goldsmith*, 598 U.S. 508, 527 (2023). In your amended claim, you include supplemental information that addresses fair use. The facts and information you provide in your supplemental statement do not show that the poster's use, and therefore respondent's use, constituted copyright infringement.

For example, in your discussion about the first fair use factor, you state that "the copyrighted work was systematically extracted from a private, closed mobile application and re-uploaded into *a crowdsourced commercialized vetting community* housing over 300,000 local members" (emphasis added). The purpose that you have described—to

use the photograph to vet a potential date—is a transformative purpose and is a distinctly different purpose than the creative expression of the photograph. The original creative expression of your selfie was to show your appearance and present you in a positive light. On the other hand, respondent's use had a different purpose. Respondent used the work to identify you and get other perspectives and information about you. Whether the result of respondent's use was that your sensitive information was exposed does not affect the fair use analysis. Under copyright law, if the allegedly infringing use is a highly transformative use, that greatly supports a finding of fair use.

As stated in the last Order, a Copyright Claims Officer has again reviewed your amended claim and determined that fair use by the respondent is clear on its face, and, therefore, your amended claim cannot move forward.

Online Service Provider

Your infringement claim asserts that the respondent, Facebook, is an online service provider ("OSP"); that you are bringing the claim against the respondent "due to their storage of or referral or linking to infringing material posted by others"; and that it failed to expeditiously remove or disable access to infringing material after you sent the respondent a takedown notice as required by section 512 of the Copyright Act. In your amended claim you state:

> "I have repeatedly provided the Online Service Provider (Meta Platforms, Inc.) with clear, actual knowledge of this specific infringement, detailing the exact URLs and linking it directly to this active federal docket and my U.S. Copyright Office registration history. Despite receiving actual notice, the OSP has failed to act expeditiously to remove or disable access to the infringing root thread, thereby operating outside of its statutory safe harbor immunities under 17 U.S.C. § 512(c)."

However, you have not included the takedown notices sent to Facebook. If you choose to file a second amended claim, you must provide the takedown notifications that you sent Facebook so that the Board can determine if the notices qualify under section 512 such that Facebook could be a proper respondent. The Board will make a determine if Facebook is a proper respondent, if and only if, the Board determines that the use at issue was not a fair use.

Final Amendment

Your amended claim did not resolve the compliance issues raised in the October 29, 2026 Order to Amend Noncompliant Claim. **This is your third and final opportunity to submit a compliant claim in this proceeding. If your claim remains noncompliant, the entire proceeding will be dismissed.** 17 U.S.C. § 1506(f)(1)(B).

To submit a second 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.

Copyright Claims Board