COPYRIGHT CLAIMS BOARD

Docket number: 26-CCB-0682
November 9, 2026

Soungyeon Kim	*v.*	서진 김
CLAIMANT		**RESPONDENT**

ORDER TO SHOW CAUSE REGARDING A PATTERN OF BAD-FAITH CONDUCT

Soungyeon Kim (Claimant) has filed two copyright infringement claims this year against the same respondent, 서진 김 or Seojin Kim (Respondent), alleging infringement of the same work. In the earlier proceeding (*Kim v. Kim*, Claim No. 26-CCB-0542), filed on August 25, 2026, Claimant has provided either Claimant's own address or YouTube's address in lieu of providing a valid mailing address for Respondent. In this proceeding (Claim No. 26-CCB-0682), filed on October 31, 2026, contact information provided in the claim for Respondent is clearly invalid and indicates that Respondent is not a United States resident, and that the Copyright Claims Board (Board) therefore cannot hear either claim. The Board orders Claimant to show cause why filing these claims against a foreign resident who is not subject to claims before the Board does not constitute bad-faith conduct under **37 C.F.R. § 232.3** and a pattern of bad-faith conduct under **37 C.F.R. § 232.4**.

A claim before the Board must include the respondent's mailing address. **37 C.F.R. § 222.2(c)(6)**. A claim "asserted against a person or entity residing outside the United States" is categorically "not subject to determination by the Copyright Claims Board." **17 U.S.C. § 1504(d)(4)**. The eCCB online filing system specifically informs filers of this prohibition on several screens, and eCCB requires claimants to provide a United States address for respondents. Before submitting the claim, filers are asked to certify under penalty of perjury that the information provided in the claim is accurate and truthful to the best of their knowledge. *See* **37 C.F.R. § 222.2(c)(12)**.

In this proceeding, the claim lists Respondent's mailing address as "Seocho-dong 06634, seoul, TX 06634." That address is plainly incorrect. Seocho-dong is a neighborhood ("dong") in Seoul, the capitol of South Korea, not in Texas (TX), and 06634 is not a valid zip code anywhere in the United States. The claim does not offer any basis for the incorrect address information provided. It appears that Claimant filed this claim with the knowledge that Respondent is a resident of South Korea. In an email to Board staff on October 22, 2026, the claimant described the earlier claim as "involving a YouTuber named Kim Seo-jin, who is active in South Korea," and stated, "I am unable to determine the YouTuber's address in the United States." The Board gave Claimant specific notice of the rule that claims cannot be raised against foreign residents in an order issued in the earlier proceeding: "the Board may not hear claims against persons who reside outside the United States." Second Order to Amend Noncompliant Claim, *Kim v. Kim*, Claim No. 26-CCB-0542 (Oct. 13, 2026).

Nevertheless, it appears that when filing the claim, despite the warnings that claims against foreign respondents are prohibited, Claimant sought to get around the prohibition by entering incorrect United States address information for Respondent in the claim form so that eCCB would allow the filing to continue. No reasonable basis is apparent for filing this claim, using invalid contact information for a foreign respondent. The Board may not hear claims against anyone who is not a United States resident, and Claimant cannot circumvent the requirement to provide a valid address for Respondent in the claim by selecting the "TX" state code and entering an invalid zip code in the claim form for a Respondent in South Korea.

Whenever a claimant submits materials or advocates a position before the Board, they certify to the best of their "knowledge, information, and belief, formed after a reasonable inquiry under the circumstances," that:

(a) It is not being presented for any improper purpose;

(b) Any legal contentions are made in good faith based on the [claimant's] reasonable understanding of existing law;

(c) Any factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(d) Any denials of factual contentions have evidentiary support or, if specifically so identified, are reasonably based on belief or a lack of information.

37 C.F.R. § 232.2. This claim does not appear to meet those minimal standards.

Therefore, the Board orders Claimant to file a response to this order by **November 23, 2026**. The response should be filed on eCCB and may not exceed 10,000 characters in length, not including any relevant documents filed as attachments in support of the response(s). 37 C.F.R. § 220.5(a)(2)(xii). The response shall explain why filing this claim against Respondent, with the invalid address provided, does not constitute a pattern of bad-faith conduct as defined in the Board's regulations. "Bad-faith conduct occurs when a party pursues a claim, counterclaim, or defense for a harassing or other improper purpose, or without a reasonable basis in law or fact. Such conduct includes any actions taken in support of a claim, counterclaim, or defense and may occur at any point during a proceeding before the Board, including before a proceeding becomes an active proceeding." 37 C.F.R. § 220.1(c). Engaging in bad-faith conduct before the Board "on more than one occasion within a 12-month period" constitutes a pattern of bad-faith conduct. 37 C.F.R. § 232.4(b)(1). If the Board determines that Claimant engaged in bad-faith conduct in this proceeding, as well as in Claim No. 26-CCB-0542, penalties would include the dismissal of this proceeding and a ban on Claimant filing new Board proceedings for a one-year period. 37 C.F.R. § 232.4(d).

To submit the response(s), log into your eCCB account and take the following steps:

1. From your dashboard, you will see this claim under "Ongoing copyright proceedings."
2. Click the "File in existing case" button and select this proceeding from the drop-down menu of active proceedings.
3. Select "Response to Order to Show Cause" from the dropdown menu.

4. You may type your response in the text box.
5. You may also upload, as an attachment, any additional documentation you would like the Board to consider with your response.

The Board will hold a conference by Zoom concerning the issues raised in this order on **November 30, 2026, at 12:00 PM ET**. Claimant is directed to attend to explain why the conduct described in this order does not constitute bad-faith conduct under 37 C.F.R. § 232.3(c) and, along with the conduct documented in 26-CCB-0542, a pattern of bad-faith conduct under 37 C.F.R. § 232.4(c). A Zoom link will be sent to Claimant before that date.

If there are questions, please contact **asktheboard@ccb.gov**. Include the 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.

Copyright Claims Board