



# COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0104  
September 18, 2023

Jon Q Wright

CLAIMANT

v.

Fishing For Hip Hop LLC, Finding Inspiration  
Sharing Hope, Inc., and Malik Wilder

RESPONDENTS

## SCHEDULING ORDER

The Copyright Claims Board (Board) approved claim 23-CCB-0104 for service on April 10, 2023. The end of the opt-out period was August 28, 2023, and the respondents did not opt out. On August 31, 2023, the Board directed the claimant to pay the second filing fee and the respondents to register for eCCB. The claimant paid the second filing fee, but the respondents have not yet registered for eCCB. This scheduling order is accompanied by a notice to the respondents that they must register for eCCB by **October 11, 2023** and must file responses to the claim by **October 18, 2023** as noted below, or the Board may begin the default process. [37 C.F.R. § 222.7\(b\)\(2\)](#).

The claim now proceeds to the active phase. In the first part of the active phase, the respondents are required to explain their position in their response. After the due date for filing a response has passed, a Copyright Claims Officer will hold a conference, which is then followed by the parties collecting and sharing information and documents (“discovery”). Each party’s goal for discovery will be to gather the information, documents, and evidence relevant to the claims and defenses in the case and exchange them with the other parties, so that each side can develop their case. You will not be required to travel for any portion of a Board proceeding.

EVENT	DEADLINE
Respondent files response	October 18, 2023
Pre-Discovery Conference	October 25, 2023 at 3:30 PM ET
Service of response to standard interrogatories	December 11, 2023
Production of documents in response to standard request	December 11, 2023
Status Conference	December 13, 2023, 2:30 PM ET

### PREPARING AND SUBMITTING A RESPONSE:

A response is the first opportunity for the respondents to answer the allegations the claimant made and raise defenses to those allegations. The respondents should review the claim carefully and think about the issues the claimant has raised, the facts and arguments made, the evidence included (if any), and whether the respondents would describe the events differently from the claimant or add additional facts. A response must be submitted

through a form in eCCB, which will ask the respondent for basic information about their position in the case and any relevant defenses.

The respondents should consult the [Infringement Response](#) Handbook chapter to learn about the elements of an infringement claim, consider some questions for preparing a response, and review potential available defenses. If a respondent wishes to file a counterclaim, it must be filed along with the response. For more information about counterclaims, consult the Handbook chapter on [Counterclaims](#).

#### **TO SUBMIT THE RESPONSE:**

1. Log in to your eCCB account.
2. On your dashboard, click the “**Respond to claim**” button and select the proceeding from the drop-down menu.
3. Indicate whether you will be filing any counterclaims, and then proceed to completing the response screens.
4. Once you have provided the requested information, you will reach the “**Review**” page. This page includes all information you have provided in the response up to this point. Carefully double-check the information on this page. If you have any corrections, you can select “**Edit**” on any section to revise your entry. After you make changes, click “**Save & review**” to return to the Review page. Please review your response carefully. There are only limited opportunities to request an amendment.
5. Once you have completed your review and any revisions, you must confirm that the information 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.**”

#### **PREPARING FOR AND PARTICIPATING IN THE PRE-DISCOVERY CONFERENCE:**

After the respondents files their responses, the Copyright Claims Officer holds a virtual conference, called a pre-discovery conference, to discuss the proceeding, how the steps of the proceeding will work, and whether the parties are interested in voluntarily resolving their claims through a settlement conference.

This conference gives you the opportunity to help the Officer understand your initial positions on the legal and factual issues of the case. It is also an opportunity to inform the Officer about any documents and evidence you may need from the other side.

The pre-discovery conference will be held virtually by Zoom. The Board will issue the link to the parties by email ahead of the conference.

#### **BEFORE THE PRE-DISCOVERY CONFERENCE, YOU MAY WANT TO:**

1. Prepare a short summary of your side of the case.
2. Think of questions you may have for the Officer.
3. Consider what documents that you have related to your case, and anything you think is missing.
4. Think about whether you are interested in settlement.

## DISCOVERY PHASE

After the pre-discovery conference, the parties will proceed to the discovery phase, which will include answering questions and producing documents for the other party. The Board provides standard questions for each side to answer as well as a list of what documents need to be produced. Discovery is exchanged between the parties and not filed on eCCB.

After the initial discovery deadlines, the Officer will hold a discovery status conference. This is a virtual meeting to discuss with the parties the progress of discovery, any additional discovery requests, and potential disputes. At that time, the Officer will review the remaining steps in the proceeding and the appropriateness of the remaining standard scheduled deadlines. Therefore, while the following are standard deadlines, the dates may be shortened or lengthened by the Board as appropriate based on the facts and circumstances in the proceeding:

EVENT	DEADLINE
Deadline to seek additional discovery	15 days before the end of discovery deadline
End of discovery	105 days from the pre-discovery conference
Post-discovery conference	Approximately 14 days after the end of discovery deadline
Written direct testimony due	45 days from post-discovery conference
Written response testimony due	45 days after written testimony is filed
Written reply testimony due	21 days after response testimony is filed

The Board may hold a hearing at its discretion following submission of the parties' written direct, response, and reply testimony. [37 C.F.R. § 222.16](#). A party can request a hearing on the merits in the direct, response, or reply party testimony or by submitting a separate request through eCCB no later than 7 days after the date by which reply testimony may be submitted, but it is up to the Board to determine whether to hold a hearing.

If you have questions, please contact [asktheboard@ccb.gov](mailto: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.