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#26-CCB-0047 TWO RIVERS FISHERIES, INC.

Dear Members of the Copyright Claims Board,

I am writing on behalf of Two Rivers Fisheries, Inc. in response to the Second Default Notice dated October 20, 2026, regarding Case No. 26-CCB-0047, filed by Mr. Joseph Tomelleri.

First, I sincerely apologize for our delayed response and for missing the previously scheduled conference. We respect the Board and its procedures, and we appreciate the opportunity to explain the facts surrounding this matter.

I would like to make it absolutely clear that Two Rivers Fisheries, Inc. does not own the billboard involved in this copyright claim, does not own the land on which the billboard is located, and was not involved in the billboard's design, production, payment, or selection and use of the disputed photograph.

1. The Billboard Does Not Belong to Two Rivers Fisheries

The billboard in question is located along Highway 286 in Ballard County, Kentucky, near our fish processing facility. However, the billboard is located outside the property boundaries of Two Rivers Fisheries, Inc.

The property on which the billboard stands is not owned by Two Rivers Fisheries. The billboard belongs to a separate investor associated with the Ballard County Industrial Park development.

By October 2019, the available industrial park properties had been sold to seven investors by Ballard county. The billboard was associated with one of these investors.

The fact that the billboard is located near our facility does not mean that our company owns, operates, controls, or is responsible for it.

2. The Photograph Depicts a Buffalo Fish, Not the Asian Carp That Our Company Processes

Another important distinction is the species of fish shown in the disputed photograph.

The photograph depicts a black buffalo fish, whereas Two Rivers Fisheries specializes in processing and marketing invasive Asian carp, including silver carp, bighead carp, grass carp, and black carp.

Buffalo and Asian carp are different fish species. Buffalo are native to North America, while the Asian carp species involved in our business were introduced from Asia.

Since 2013, Two Rivers Fisheries has focused on developing markets for invasive Asian carp to help address the environmental challenges caused by these fish in American waterways.

The buffalo fish photograph was not selected by Two Rivers Fisheries to promote our products or business. We are professional Asian carp processor and will not pick up the buffalo picture.

3. Two Rivers Fisheries Had No Involvement in the Billboard or the Disputed Photograph

I would also like to emphasize the following facts:

- Two Rivers Fisheries did not own or lease the billboard.
- Two Rivers Fisheries did not design or commission the billboard.
- Two Rivers Fisheries did not select, purchase, license, or authorize the use of the disputed buffalo fish photograph.
- Two Rivers Fisheries did not pay for the billboard's design, production, installation, or display.
- Two Rivers Fisheries did not direct or control the content displayed on the billboard.
- The billboard and the disputed photograph were not part of an advertising project undertaken by Two Rivers Fisheries.

The billboard was associated with a separate investor, and Two Rivers Fisheries was not involved in the decisions concerning its design, production, or photographic content.

I have previously explained the ownership circumstances to Mr. Tomelleri's attorney. Unfortunately, Two Rivers Fisheries continues to be named in this matter, apparently because of the billboard's proximity to our facility.

We respectfully believe that geographic proximity alone should not establish copyright liability.

4. Our Company's Background and Good-Faith Efforts

Two Rivers Fisheries was established in 2012 and began processing and exporting invasive Asian carp in 2013.

For nearly 15 years, we have worked tirelessly to develop a sustainable freshwater fish industry, support local commercial fishermen, create employment opportunities, and help protect the Mississippi and Ohio River ecosystems.

Our mission has always been to turn an environmental challenge into an economic opportunity.

As a small business, we have faced significant challenges, including the COVID-19 pandemic, rising operating costs, and international trade disruptions. Nevertheless, we have continued working to develop this industry and contribute to our rural community.

We fully respect copyright laws and the intellectual property rights of photographers and other creators. However, we also believe it is important that responsibility be assigned to the parties who actually own, control, or are responsible for the disputed material.

5. Our Respectful Request to the Board

In light of the facts described above, we respectfully request that the Board:

1. Recognize that Two Rivers Fisheries does not own the billboard or the land on which it is located.
2. Consider that Two Rivers Fisheries did not participate in the selection, design, production, payment, or display of the disputed buffalo fish photograph.
3. Review the actual ownership and control of the billboard and the identity of the party responsible for the disputed image.
4. Allow Two Rivers Fisheries to submit supporting documents and a formal response before any default determination is entered.
5. Consider granting additional time, if necessary, for us to complete the required eCCB registration and respond properly to the claim.

We sincerely regret our delayed participation and any inconvenience it may have caused. Our failure to respond earlier was not intended as disrespect toward the Board.

We are committed to cooperating in good faith and providing documentation to clarify the facts.

We respectfully ask that Two Rivers Fisheries not be held responsible for a billboard and photograph that it did not own, commission, finance, select, or control.

Thank you very much for your time, understanding, and careful consideration of our circumstances.

Sincerely,

Angie Yu

President of Two Rivers Fisheries, Inc.