COPYRIGHT CLAIMS BOARD

Julie Dermansky, *Claimant,* versus Rule 62, Inc., *Respondent*.	Docket number: 22-CCB-0005 **Claimant's Request for Hearing on Claimant's Application for Reconsideration of the CCB's Final Determination**

PLEASE TAKE NOTICE that, pursuant to 17 U.S.C. §§ 1506(p) & (w), and 37 C.F.R. §§ 222.16(c) & 227.4(c), Claimant Julie Dermansky ("Claimant") respectfully requests oral argument be taken in connection with Claimant's Application for Reconsideration of Final Determination (Dkt. 56) at a hearing conducted via remote video means, as soon Counsel for Claimant may be heard by the Copyright Claims Board (the "CCB"), for reasons set forth below:

This is one of the first cases that the CCB has decided on the merits, albeit on the Respondent's default, and one of the first times that the CCB is awarding statutory damages for willful copyright infringement. Therefore, the question of the proper measurement of statutory damages by the CCB is of paramount importance because the Final Determination in this case (Dkt. 55) will establish expectations for parties who may elect, or not elect, to utilize the CCB as an avenue for redress. The CCB must strike the proper balance to encourage both copyright owners and alleged infringers to consent to proceed in CCB proceedings as an alternative to federal district court proceedings.

If copyright owners are discouraged from filing small matters in the CCB as an avenue to redress copyright infringement claims because they have little or no expectations to recover meaningful damages, then they will simply forego filing in the CCB and return to deciding between federal court litigation, or not enforcing their copyrights at all.

Thus, reconsideration of the Final Determination in this matter is of the utmost importance, both to Claimant personally to obtain a fair statutory damages award that is supported by the facts and law, and to the long term success of the CCB in establishing itself as a reliable venue for redress as a meaningful alternate to federal copyright litigation. Accordingly, Claimant requests a hearing to further explain why her Application for Reconsideration of the Final Determination should be granted.

Dated: December 5, 2023

Respectfully submitted,

LEICHTMAN LAW PLLC

By: */ s / David Leichtman*

David Leichtman
Shane Wax
Alexander Katz
185 Madison Avenue, 15th Floor
New York, NY 10016
212-419-5210

Attorneys for Claimant Julie Dermansky