

Jason Bloom, Michael Lambert in World IP Review: ‘US Copyright Claims Board: What You Need to Know’

January 4, 2022 Jason Bloom, Michael Lambert

PRACTICES Intellectual Property Litigation, Copyright, Litigation

On December 8, 2021, the U.S. Copyright Office provided content creators and copyright practitioners another peek behind the curtain of the Copyright Claims Board (CCB), a new forum for copyright claims up to \$30,000 expected to begin in the spring.

Since the enactment of the Copyright Alternative in Small-Claims Enforcement Act (CASE Act), the Copyright Office has been reviewing public comments and proposing regulations to provide details on CCB proceedings. The Copyright Office’s latest proposed regulations describe the processes for default judgments, public access, attorney’s fees, discovery, appeals, and more. The Copyright Office previously proposed regulations explaining the initiation of claims, service of process, fees, and types of claims covered by the CCB. Here are some highlights from the proposed regulations published on December 8 in the Federal Register.

Minimising Harassing and Frivolous Claims

Because of the ease of bringing a copyright claim before the CCB (by design), copyright practitioners have expressed concern about the potential for increased harassing or frivolous claims. The new proposed regulations aim to ease these anxieties by limiting the number of proceedings a party can file in a twelve-month period to ten. Attorneys are limited to bringing 40 proceedings on behalf of a particular claimant in a twelve-month period. These restrictions are also meant to “ensure that the CCB is able to effectively manage its docket” and not be “overwhelmed by just a few claimants.”

Excerpted from *World IP Review*. To read the full article, click [here](#).