

## House Votes in Favor of Copyright Small Claims Court

*By Scott D. Hampton and Ashley J. Bailey*  
November 13, 2019

On October 22, 2019, the U.S. House of Representatives voted 410 to 6 in favor of creating a small-claims court for copyright matters.

House Bill H.R. 2426 titled, Copyright Alternative in Small-Claims Enforcement Act of 2019, or the CASE Act, creates a Copyright Claims Board which operates within the U.S. Copyright Office to decide small copyright disputes. Parties may choose instead to have a dispute heard in court. If parties decide to have the dispute heard by the Copyright Claims Board, they forego the option to have the dispute heard in court and the right to a jury trial.

The CASE Act maintains a three-year statute of limitations after the claim accrued. Parties may bring the following claims to the Copyright Claims Board: copyright infringement; a declaration of noninfringement; finding that a party knowingly sent false takedown notices, and related counterclaims.

Under the CASE Act, the Copyright Claims Board may award the following monetary remedies: (i) actual damages, or (ii) statutory damages. Statutory damages are limited to (i) \$15,000 for each registered work infringed, or (ii) \$7,500 for each un-registered work infringed, or a total of \$15,000 in any one proceeding. Monetary remedies under the CASE Act are limited to \$30,000.

Since passing the House, the bill will now continue onto the Senate.