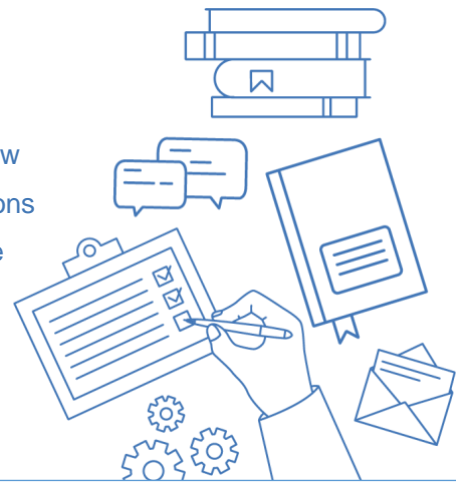


# Representation

The CCB proceedings are designed to permit you to represent yourself, or obtain representation by an attorney or a qualified law student. Also, unlike in federal court, businesses and organizations do not need an attorney to represent them. In addition to outside attorneys and law students, businesses and organizations can be represented by an owner, partner, officer, member, in-house attorney, or other authorized employee.



## Chapter at a Glance

- **Representing Yourself**
- **Representation by a Lawyer**
- **Representation by a Law Student**
- **Representation of Businesses and Organizations**

## Why You Need This Information

This chapter describes your representation options in CCB proceedings.

## Quick Summary of Representation

- You don't have to have a lawyer to participate in CCB proceedings; you may represent yourself instead.
- Businesses and organizations that participate in CCB proceedings may also be represented by an in-house counsel, owner, member, partner, officer, or other authorized employee.
- You can choose to work with a lawyer, and there may be a lawyer who is willing to represent you for free (**pro bono**) or for a reduced fee.
- Qualifying law students may also be available to represent you pro bono. The CCB website, [ccb.gov](https://ccb.gov), has contact information for some of the law school clinics and pro bono organizations that are available to represent parties before the CCB.

## HOW DID YOU GET HERE?

You're participating in a CCB proceeding, or thinking about participating in a CCB proceeding, and you want to know your options for representing yourself or having someone represent you.

## WHAT ARE YOUR OPTIONS FOR REPRESENTATION?

Whether you are an individual or a business, you can represent yourself in CCB proceedings (for businesses, this means through certain authorized agents of the business), or you can have a lawyer or law student represent you. In some circumstances, you may be able to find a lawyer to represent you for free or for a reduced fee. You may also get advice from a lawyer or law student regarding CCB procedures or copyright law but still represent yourself.

Standards for truthful filings and professional conduct before the CCB apply to all parties and representatives including business and law student representatives. You can learn more about the rules of conduct in the CCB's [Party Conduct regulations](#).

## WHAT HAPPENS NEXT?

If you're representing yourself as an individual, then you need to register as a self-represented party on **eCCB**. If you're representing your business or organization, then you need to register as an in-house lawyer, owner, partner, officer, member, or other authorized business representative. If you're represented by a lawyer or law student, then they will handle any filings to represent you in the proceeding.

# Representing Yourself

As noted above, you can represent yourself before the CCB. This is sometimes called appearing "pro se." CCB proceedings are designed so people can navigate them without lawyers.

To represent yourself, you must register for eCCB as a self-represented party. You can find information on how to do this in the [eCCB Handbook](#) chapter.

# Representation by a Lawyer

### THERE ARE DIFFERENT LEVELS TO REPRESENTATION:

- The lawyer provides a one-time consultation.
- The lawyer provides advice and guidance, but you'll handle filings, conferences, and hearings yourself.
- The lawyer handles filings, conferences, and hearings for you.

Be sure to confirm the roles and responsibilities of the lawyer.

You may have a lawyer represent you in your CCB proceeding, but you aren't required to. If you wish to be represented by a lawyer, there may be lawyers who are willing to represent you in CCB proceedings for free or at discounted rates.

If you decide to hire a lawyer for a fee, make sure you understand the financial terms of the representation and that they make sense for the amount of money that's at stake in your proceeding (if any). Some states require a written contract between you and your lawyer regarding the financial terms and other issues related to representation. Be sure to review any contract before signing it. You may also wish to inquire about the amount and kind of experience the lawyer you are hiring has with copyright

law. If you choose to have a lawyer represent you, they will handle the filing requirements in eCCB to represent you in the proceeding.

Under the CCB rules, lawyers and law firms can only file a certain number of proceedings for claimants in any twelve-month period. Any single lawyer can only file forty claims in a twelve-month period, and law firms can only file eighty proceedings in a twelve-month period. These limitations don't apply to law students or law clinics.

If you're a claimant who is considering hiring a lawyer to help you with filing a claim, make sure to ask how many CCB claims they've filed over the past twelve months and whether they or their firm are in danger of going beyond their twelve-month filing limit. If your lawyer files more claims than the limit, then the CCB will order them to withdraw from your proceeding and they won't be able to represent you. The CCB may pause the proceeding for sixty days to give you time to find another lawyer if you want to. This pause can be extended if you provide a good reason.

## Representation by a Law Student

Qualifying law students are also able to represent parties for free in CCB proceedings. [See the box](#) above for more information about the level of representation that you may agree to with your lawyer or law student. If you don't want to or aren't able to hire a lawyer and you don't want to represent yourself, law student representation may be a good option.

To be qualified to provide representation and appear on your behalf in your CCB proceeding, the law student must be working with a law school clinic or with a pro bono legal services organization that has a connection to the law school. The law student must also comply with the laws about law student representation in the state where the law school is located, and must have successfully completed their first year of studies at a law school accredited by the American Bar Association. Finally, they must complete relevant training and review the CCB's rules and the law establishing the CCB.

In addition, the law student must work under the supervision of a lawyer who is qualified to practice under applicable state law. The law student can only file documents in your proceeding with the supervising lawyer's permission, and the supervising lawyer must also attend all hearings and conferences in your proceeding. The supervising lawyer will be responsible for managing your proceeding and making sure the law student meets all the requirements to provide representation. Since the law student might only be working with the clinic or pro bono legal services organization for a limited period of time (such as a semester), the supervising lawyer also must ensure that you have representation if your proceeding continues beyond the law student's involvement with the law clinic or pro bono legal services organization.

If you choose to work with a law student, then the law student must have your written consent to represent you. Law students who represent parties in CCB proceedings are not allowed to accept any money in exchange for the representation.

In addition to formal appearances of law students on your behalf in the CCB proceeding, law students are also able to provide other less formal types of assistance, as long as they are supervised by a lawyer. This can include consultations, review of filings, and advice and guidance. If a law student provides only these forms of assistance, you'll still be responsible for representing yourself and handling filings, conferences, and hearings.

If you're interested in a law student representing you or providing assistance in your CCB proceeding, you can find information about some of the law school clinics and pro bono legal services organizations that are available to provide such services on the [CCB's website](#).

## Representation of Businesses and Organizations

Unlike in federal or state courts, businesses and organizations—such as corporations, limited liability companies, partnerships, and unincorporated associations—don't need to have a lawyer to appear in CCB proceedings. A business or organization may be represented in CCB proceedings by a lawyer or a law student or an in-house attorney. They may also be represented by:

- an owner, partner, officer, or member of the business or organization, or
- an authorized employee of the business or organization.

If you're representing your business or organization, you must certify that:

- You're an **authorized agent** of the business or organization, and
- You have the authority to **bind** the business or the organization.

If you're an employee representing a business or organization, other than an in-house attorney or an owner, partner, officer, or member, you must also file a **written authorization** from an owner, partner, officer, or member of the business or organization that states that you have the authority to represent the business or organization before the CCB. This authorization must be signed by the owner, partner, officer, or member of the business or nonprofit under **penalty of perjury**. You must file this written authorization on eCCB **within thirty days** of your first filing. If you represent the business in more than one proceeding, a separate authorization must be filed in each proceeding.

If you represent a library or archives and wish to preemptively opt your library or archives out of all CCB proceedings, you must fill out and submit [the online form](#). Libraries and archives do not have to pay a fee to opt out of CCB proceedings, and they never need to renew their opt-out decision.

# Glossary

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- **Authorized agent:** Someone who is allowed to act on behalf of the business or organization in a CCB proceeding.
- **Bind:** Establishing a legal obligation among the parties that cannot be relitigated.
- **eCCB:** The CCB's electronic case filing system, where all filings are made.
- **Penalty of perjury:** A verification that you recognize you may be subject to penalties if what you say is not true.
- **Pro bono:** Legal services without a charge for the lawyer's or law student's time or work.