



COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0083

March 19, 2025

Brandon L Warren

CLAIMANT

v.

Amazon

RESPONDENT

SECOND ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim, as amended, still does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is properly amended. If you wish to proceed with this claim, you must file a second amended claim by **April 18, 2025**. If you do not, the Board must dismiss your claim without prejudice, although you may file again in the future before the Board or in federal court. There is no additional filing fee for an amended claim. If you file a second amended claim and it is found compliant, you will be notified and directed to proceed with service. However, if your second amended claim also is found not to comply, the Board will dismiss the proceeding without prejudice. 17 U.S.C. § 1506(f)(1)(B); 37 C.F.R. § 224.1(d).

To make your second amended claim compliant, you must resolve the issues identified below. 37 C.F.R. § 224.1(c)(2). You may also choose to correct or edit any errors or other information in your claim before you file it again. You do not need to provide a legal argument in your claim – just a statement of facts and circumstances. Being specific in your description gives the other party and the Board more information about your claim. There is no character limit, so please be as detailed as possible.

Allegedly Infringing Activity - Clarity

You are raising a copyright infringement claim against Amazon based on third-party listings on its website that offer copies of your book *B Inspired* for sale. You allege, and supplemental documents filed with the amended claim indicate, that you sent Amazon a takedown notice as required by section 512 of the Copyright Act for at least one listing of *B Inspired* that Amazon has not removed. That Amazon listing offers copies of *B Inspired*. However, your amended claim does not provide enough information about the listing to indicate that it offers an infringing copy of the work.

Supplemental documents filed with the amended claim indicate that copies of *B Inspired* were published with your authorization in 2019. Other supplemental documents indicate that a third-party seller on Amazon is offering paperback copies of *B Inspired* for sale, including copies listed as “Used – Like New” and as “New.” Reselling

copies from authorized editions of your work would not be an infringement of copyright, as the “first sale” doctrine allows someone who has legitimately purchased one of your books to resell that physical copy without your permission. 17 U.S.C. § 109(a). Your amended claim does not indicate why you contend those listings are infringing, rather than legitimate attempts to resell previously authorized copies of your work. Please note that once you have sold a physical copy of your book to someone, that person has the right to resell it and you cannot stop them or take away their authorization to do so under the law.

If you file a second amended claim, include more facts about the underlying activity by the Amazon sellers, including specific facts that indicate if they were selling illegitimate (counterfeit) copies of your work. Keep in mind that in order to successfully bring a claim against Amazon for not removing third-party infringements of your work, you will need to prove that those third-parties actually did infringe your work, not just that Amazon failed to act on your takedown notice. If you have reason to believe that your takedown notice related to a printing of *B Inspired* that you never authorized, you must include specific facts in your second amended claim that support that belief.

Final Amendment

Your amended claim resolves some, but not all, of the compliance issues raised in the March 13, 2025 Order to Amend Noncompliant Claim. The remaining issues, as discussed in this order, must be resolved for the claim to move forward. **This is your third and final opportunity to submit a compliant claim in this proceeding. If your claim remains noncompliant, the entire proceeding will be dismissed.** 17 U.S.C. § 1506(f)(1)(B).

To submit an amended claim, log into your eCCB account and take the following steps:

1. From your dashboard, click the “**Amend claim**” button and select your docket number from the dropdown list.
2. Your claim will unlock for editing. The information you originally entered will appear in the same order as in your original claim.
3. Make the necessary edits. If you have filed supplemental documents, you must re-upload any documents you wish to include in the amended claim on the “**Documentation**” page. Please include only documents directly related to your claim, and label them clearly.
4. Once you have completed your edits, continue to click through the fillable claim form until you reach the “**Review**” page. The Review page includes all the information that you have provided in the claim up to this point. Carefully double-check the information on this page. If you have any corrections, you can select “**Edit**” to revise any entries necessary. Each section of information has an “**Edit**” button, which will take you back to that section so you can make changes. After you make changes, you can click “**Save & review**” to return to the Review page. Please review your claim carefully. Once you submit your amended claim, you will be unable to edit the claim while it is in compliance review.

5. Once you have completed your review and any revisions, you must confirm that the information in your claim is accurate and truthful to the best of your knowledge. To complete the declaration, type your full name into the “**Digital signature**” box near the bottom of the “**Review filing**” page and click “**Agree & submit.**”

If you have questions, please contact asktheboard@ccb.gov. Include your docket number in the subject line. The Board is unable to provide legal advice. We can only provide legal information and assistance concerning Board procedures and requirements. If you would like to seek further guidance from a lawyer or a law student at reduced or no cost, please visit the [Pro Bono Assistance](#) page on ccb.gov. You may also refer to the [Compliance Review](#) chapter of the CCB Handbook for more assistance.

Copyright Claims Board