



# COPYRIGHT CLAIMS BOARD

Docket number: 25-CCB-0083

March 5, 2025

Brandon L. Warren

CLAIMANT

v.

Amazon

RESPONDENT

## ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims Board (Board) finds that your claim does not comply with the requirements of the CASE Act and related regulations. The claim cannot move forward unless it is amended.

If you wish to proceed with this claim, you must file an amended claim by **April 4, 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. If you file an amended claim and it is found compliant, you will be notified and directed to proceed with service. There is no additional filing fee for an amended claim. 17 U.S.C. § 1506(f)(1)(B).

To make your 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. More information about the elements required to assert a claim of copyright infringement is available in the [Starting an Infringement Claim](#) chapter of the CCB Handbook.

### Online Service Provider

In response to questions in the claim form, you assert that you are bringing your infringement claim against an online service provider (OSP) “due to their storage of or referral or linking to infringing material posted by others”; and that the OSP failed to expeditiously remove or disable access to the infringing material after you sent the OSP “a ‘takedown notice’ as required by section 512 of the Copyright Act.” Your claim does not provide enough information to support those allegations.

“Safe harbors” in section 512 shield certain OSPs from paying damages for copyright infringement claims if, among other things, the OSPs take steps to quickly remove or disable access to infringing material when a copyright owner notifies them about the infringement through a proper takedown notice. To avoid liability, OSPs must follow procedures specified in section 512 when they receive takedown notices alleging infringement, and counter-notices seeking the re-posting of the allegedly infringing material. An infringement claim against an OSP that is eligible for a section 512 safe harbor must state facts that indicate that the OSP did not follow those procedures after it received a takedown notice or counter-notice with the required information. Please visit the [section 512](#)

page and the discussion at pages 20-22 of the [Starting an Infringement Claim](#) chapter of the CCB Handbook for information about what section 512 of the Copyright Act requires for an infringement claim against an OSP.

Your claim does not provide enough information about your takedown notices and Amazon's activities to overcome the safe harbor provisions. You allege that Amazon "failed to comply to my numerous documented notices," and when you filed the claim, you also filed eight documents to the docket showing your communications with Amazon. However, a proper takedown notice must give the OSP enough information to locate the allegedly infringing material. It is not clear that you have sent Amazon any notice that provides the information required, or that Amazon failed to "expeditiously" comply after receiving a proper takedown notice. Your filings show:

- In an October 16, 2024 [email](#), Amazon informed you that infringement claims "must be submitted through Brand Registry or our online notice of infringement form."
- In an October 21, 2024 [email](#) with the subject line "We need more information to proceed with this notice," Amazon told you that it could not verify the additional information you had provided and could not "take action on your submission if we do not receive or cannot validate the following information," including the "[a]ccused content, by URL or Amazon Standard Identification Number (ASIN)."
- In a February 24, 2025 [email](#), you told Amazon, "I have reported numerous copyright violations regarding my book 'B Inspired' by Brandon Warren and have yet to hear back from any nonautomated system," and you provided a copy of the copyright registration certificate.
- In a February 27, 2025 [email](#) with the subject line "We Have Received Your Infringement Complaint," Amazon told you that it would notify you after validating the information you provided, adding, "This usually takes 1 to 2 days."
- In a March 1, 2025 [email](#) with the subject line "We need more information to proceed with this notice," Amazon asked you to "resubmit your report with all the required information," including "A location description of where the material believed to be infringing on the site." In your response on the same day, it appears that you submitted an image of your book's cover, not information about where the book is available on Amazon. Amazon sent a [reply](#) later that day.
- In a March 3, 2025 [email](#) with the subject line "Your Notice to Amazon Requires Additional Information," Amazon stated that it "could not verify the information you have provided."

Your claim does not present facts that indicate that any activity by Amazon was out of step with the safe harbor provisions of section 512. If you have not sent Amazon a takedown notice with all of the information required, including enough information to locate the allegedly infringing material (for example, the URL address of a page on Amazon listing your work, or an ASIN number that Amazon uses to identify an infringing work), then Amazon is not required to find and remove the material itself.

To address this issue in an amended claim, you must present additional facts that support your contentions that Amazon received a proper takedown notice about an allegedly infringing listing and did not expeditiously remove or disable access to that listing. You must include more factual details and information about your takedown notices and Amazon's actions in response. Your amended claim should clearly state or show, for each allegedly infringing Amazon listing, that you provided Amazon specific information, such as a URL or ASIN, identifying where the listing appeared on Amazon.

You may also upload copies or screenshots of other email communications with Amazon as supplemental documents in your amended claim, if they will clarify the facts of the alleged infringement. Any documents that you want the Board to consider as part of your amended claim must be filed in the “Documentation” section of the amended claim, not as separate filings on the docket, and must be filed as “Public” so that they will be part of the public record of your claim.

## Clarity

Your claim also does not provide enough information about the allegedly infringing activity by third parties on Amazon. You state that “Amazon has allowed sellers to distribute my work,” but you do not include details about those sellers or those distributions. For example, it is not clear if they are selling infringing copies, or if they are reselling used copies of authorized editions of your work, which would not be an infringement of copyright. If you file an amended claim, include more facts about the underlying activity by the Amazon sellers, including facts that indicate if they were selling legitimate 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. If you submit an amended claim with detailed allegations regarding those third-party infringements, the Board will review those allegations at that time.

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](mailto: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.

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