



# COPYRIGHT CLAIMS BOARD

Docket number: 23-CCB-0332

October 19, 2023

Keith F Bell

CLAIMANT

v.

American Ranch Horse Association

c/o Mike Coblenz

RESPONDENT

## ORDER TO AMEND NONCOMPLIANT CLAIM

The Copyright Claims 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 **November 20, 2023**. 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.

### Respondent Clarity

To assert a claim before the Board you must include each respondent's mailing address, unless the Board gives you permission to file it without the address after you certify that the address is unknown and that you have a good-faith belief that the statute of limitations is likely to expire within 30 days. You must also describe the basis for that belief. 37 C.F.R. § 222.2(c)(6). In your claim, you provide an address for the respondent in Lexington, KY "c/o Mike Coblenz." You must provide the respondent's actual address and you do not need to list any counsel or representative of the respondent in the claim, even if they have agreed to service on behalf of the respondent.

To address this issue, your amended claim must include a mailing address for the respondent and remove Mike Coblenz from the claim or state a good-faith belief that the statute of limitations is likely to expire within 30 days. The correct entity name and address for the respondent is available by searching the [Kentucky Secretary of State website](#). The address must be a United States address of the respondent as the CCB may not hear claims against persons who reside outside the United States. 17 U.S.C. § 1504(d)(4).

### Statute of Limitations

It appears that your copyright infringement claim may be barred based on allegations that show that you knew

about all of the alleged infringing activities more than three years ago, and a lack of clarity about whether the infringing activity is continuing or when it ended. A “statute of limitations” is a time limit set by law for starting a claim. The statute of limitations period for copyright claims, both in federal court and the Board, is three years after the claim “accrues.” 17 U.S.C. §§ 507(b) & 1504(b)(1). A claim for copyright infringement accrues when the infringing act occurs, or when the claimant discovers, or reasonably should have discovered, the infringement. *Starz Entertainment LLC v. MGM Domestic TV Distrib., LLC*, 39 F.4th 1236, 1239-41 (9th Cir. 2022). A proceeding before the Board cannot be commenced more than three years after the claim accrued. 17 U.S.C. § 1504(b)(1). You initiated this proceeding on October 4, 2023. If no acts of infringement occurred within the three-year period before that date (i.e., on or after October 4, 2020), the claim is barred by the statute of limitations.

In your claim, you list the infringement dates as “12/17/2019- Unknown” and include allegations that “on September 30, 2020, claimant discovered that on December 17, 2019, a date after claimant’s book *Winning Isn’t Normal* was copyrighted and registered; respondent duplicated, posted, disseminated, and displayed the work on respondent’s social media account without permission from claimant.” In your amended claim, you will need to clarify whether respondent’s infringing activity continued to occur on or after October 4, 2020..

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.

Copyright Claims Attorney