Electronically Filed
Docket: 24-CCB-0031
Filing Date: 02/20/2025 05:13:37 PM EST

COPYRIGHT CLAIMS BOARD

DR. KEITH F. BELL,	)	
	)	
Claimant	)	
	)	
v.	)	**24-CCB-0031**
	)	
CHRIS A. LEWIS,	)	
	)	
Respondent	)	

Declaration of Respondent Chris A. Lewis

1. My name is Chris Lewis. I am the named Respondent in this action. I am over the age of 18 and make the following statements on personal knowledge.

2. I am currently employed by Bankers Life as a Regional Director, and I am located in Dallas, Texas. I have held my position since 2002, and I have worked at Bankers Life since 1993.

3. Until early 2023, I maintained a personal LinkedIn account that I used to check in on my colleagues and personal friends. My employer did not require me to have a LinkedIn account. It was my personal account, which served as a resource for me to learn what my connections were doing. Occasionally, I re-posted quotes that I believed were in the public domain, which were generally inspirational or aspirational quotes.

4. I no longer have a LinkedIn account. I closed the account after receiving what I considered a disturbing letter, dated January 31, 2023 from the Claimant, Dr. Keith F. Bell. This letter was submitted into evidence by Claimant as Exhibit F in this action .(hereinafter, the "January 2023 Letter").

5. The January 2023 Letter was sent to my business email address on January 30, 2023. The letter accuses me personally of copyright infringement of a work of Dr. Keith F. Bell. The letter referred to a LinkedIn post that I made on my personal LinkedIn account in November 2021.

6. Until I received the January 2023 Letter, I had not heard of Dr. Keith F. Bell, or the work he claimed I infringed, which according to the letter is a book titled: Winning Isn't Normal. I have not seen this book in any bookstore, online, or through any resource. I have not heard any of my friends quote the book or refer to it. I had not read up on Keith F. Bell. I was not aware of his website or his book before I received the January 2023 Letter.

7. The January 2023 Letter referred to something identified as the Winning Isn't Normal Passage, or the WIN Passage. Until I received the January 2023 letter, I was not aware of anything identified as the Winning Isn't Normal Passage, or the WIN Passage. I learned of Dr. Bell, his book and his intellectual property claims from the letter that I received from him.

8. Upon receipt of the January 2023 Letter, I immediately removed the quote from my LinkedIn account, and I deactivated my account. The post that Dr. Bell complained of was posted sometime in early November 2021, and had he contacted me earlier, I would have removed the quote earlier. Had he asked me to provide an attribution to his work, I gladly would have offered that to him. However, the letter threatened me with legal action if I did not pay him $150,000 by a date certain.

9. In Dr. Bell's opening papers in this action, he accuses me of failing to determine whether the quote came from a book. It did not occur to me that this was not a public domain quote. The language was antiquated, and it appeared to be simply an old adage about plugging away, about not quitting, and about not being one of the crowd. Although I do not remember where I first saw the quoted language in the post that I re-posted, there was no attribution, and it appeared to be the type of common language often re-posted on social media.

10. I had forgotten about the post altogether until I received the January 2023 Letter.

11. From the materials that Dr. Bell submitted in this proceeding, he waited at least a year to contact me. I also note from the evidence he has submitted in this proceeding, that he apparently has tracked my LinkedIn contacts who, in 2021, responded to my post. I did not keep a record of who "liked" my post. However, according to him, 73 people liked my post in November 2021. The names of these LinkedIn contacts appear on a chart that Dr. Bell has put together with headings on whether or not Dr. Bell has yet sent any of these former LinkedIn contacts a cease and desist letter.

12. It is my impression that the purpose of the January 2023 Letter was to frighten me and exact a financial settlement from me. Dr. Bell stated in his letter that he was entitled to actual damages in the amount of 39.95 per book, which he stated was the price of individual copies of his book, plus $8.95 shipping and handling. He advised that he was also entitled to $150,000 in statutory damages, claiming that my post from November 2021 was "willful." He also claimed that I was liable for violations under the Digital Millenium Copyright Act, because according to him I removed what he stated was "copyright management information" from various websites. He did not explain what "copyright management information" was, or how or when I removed it. I simply re-posted a quote I found on social media.

13. The January 2023 Letter demanded that I pay Dr. Bell $150,000.00 by 3 p.m. Central Time, on February 13, 2023. I did not pay Dr. Bell that extraordinary amount.

14. I understand that one of Dr. Bell's arguments is that I have profited from the post. I do not see how I have profited at all. My position at my employer is the same. I had not printed or sold "copies" of the post, or financially profited in any way. The post has led only to aggravation.

15. It seems to be Dr. Bell's position that the post on LinkedIn somehow helped me professionally. That is not true – I no longer have a LinkedIn account, and I deactivated my account in early 2023. The re-post that is at issue here was posted in 2021.

16. In preparation in this case, I reviewed Dr. Bell's evidence in this proceeding and note that the book Winning Isn't Normal is roughly a 70 page book with drawings and text. The quote is on a page in the book. From the evidence submitted, I also see that the quote is offered on tee shirts and posters. Prior to reviewing Dr. Bell's evidence in this case, I had not seen the book, the tee-shirts or the posters.

17. I note from the book, and the evidence that Dr. Bell has submitted, the book is primarily directed to swimmers, swim teams, especially school swim teams. My personal and professional contacts are not in the swimming community.

18. Finally, I confirm that I have not posted the quoted language at issue in this proceeding since that November 2021 post. I removed the post after I received the January 2023 Letter. I have not printed the post or distributed it in any manner. I no longer have a LinkedIn account.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

Dated: February 18, 2025

Chris Lewis

Chris A. Lewis

Proof of Delivery

I hereby certify that on Thursday, February 20, 2025, I provided a true and correct copy of the Declaration of Respondent Chris A. Lewis to the following:

Keith F. Bell, represented by Keith F. Bell, served via ESERVICE at drkeithbell@gmail.com

Signed: /s/ Jacqueline M. Lesser