EXHIBIT B

12/17/2024 - MARK ZUCKERBERG

UNOFFICIAL DRAFT TRANSCRIPT

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although, I'm not sure I could name any specific ones right now.

Q. In terms of Meta's policy, does Meta have a policy against downloading materials from websites that are known to contain copyrighted materials for which they do not have licenses?

ATTORNEY GHAJAR: Objection. Lacks foundation. Vague.

THE WITNESS: I'm not sure if we have a specific policy around that or if it's just a broader ethics policy around how we should think about using data and who we work with more broadly.

BY ATTORNEY BOIES:

Q. Would you agree, as the CEO of Meta, that Meta should not be using websites that web -- that

Meta knows contains illegally pirated copyright materials?

ATTORNEY GHAJAR: Objection. Vague. Also assumes facts not in evidence.

THE WITNESS: I mean, on its face, that seems like a reasonable thing to say, but I think you would want to think through the nuances of it a

little bit more.

For example, YouTube, I think, may end up hosting some stuff that people pirate for some period of time, but YouTube is trying to take that stuff down. And the vast majority of the stuff on YouTube, I would assume, is kind of good and they have the license to do. So would I want to have a policy against people using YouTube because some of the content may be copyrighted? No, that doesn't seem reasonable. But I understand the question that you're asking.

BY ATTORNEY BOIES:

Q. Yeah. The question I'm asking really is if you have a website or source that contains copyrighted materials that they do not have a license for and they intentionally are making unlicensed copyrighted materials available to the public, would you agree, as the CEO of Meta, that

Meta should not be downloading materials from websites like that?

ATTORNEY GHAJAR: Objection. Vague. Also

an incomplete hypothetical. Assumes facts.

THE WITNESS: Yeah, I mean, it's -- I think it's -- it's --

You know, I mean the way that you frame it, it seems like that's something that we should be pretty careful about, but I think when you get into the nuances, it's hard to assess what people's intent is.

You know, I mean, going back to the YouTube example before, where I think that there's some percent of the content is probably stuff that they don't have copyright or don't have the license to distribute. Early on, I think that people did make some assertions about YouTube's intent on this, and they were less mature about developing their IP rights management.

But even then, I don't think that I would've said that I wouldn't want people at Meta not to use YouTube, at that point. So -- so I don't know.

I just think it's -- I think what you're saying -- I think it kind of -- the way you're

characterizing it, it sort of broadly seems like, yes, that seems like a bad thing. But I just am -- I want to be caution about making a blanket statement about policies, and this is why we have teams who think through this carefully because there are often more nuances than is kind of apparent the first -- in, like, when you just think about it, at first blush.

BY ATTORNEY BOIES:

Q. When you say "that seems like a bad thing," what are you referring to?

A. Your characterization of it. You know, if -- if there's a -- somebody who's providing a website and they're intentionally trying to violate people's rights, than, yeah. I mean, I think that the behavior that you're describing, obviously, seems like it's something that we would want to be cautious about or careful about how we engaged with it or maybe prevent our teams from engaging with it.

But I just think it requires a little bit further analysis before I can issue sort of like a blanket assessment of what our policy should be, because I think -- you know, this is the example I was giving around YouTube right now.

I think even just a couple minutes of

thinking through what's cases might be around that highlights why there are cases where having such a blanket ban might not be the right thing to do.

Q. I'm trying to focus not on YouTube, which you keep coming back to. I'm trying to focus on websites like LibGen, and I'm trying to talk about it generally, because you say you've never heard of LibGen.

And what I'm asking about is, if you've got a website that, on its face, purports to distribute copyrighted materials for which there is no license -- which, obviously, is not what YouTube does -- would you agree that either as a matter of law or ethics, you would not want Meta trafficking with that website?

ATTORNEY GHAJAR: Objection. The question's vague. Incomplete hypothetical.

THE WITNESS: Yeah, I mean, I get that you're trying to get me to give an opinion on LibGen, which I haven't really heard of.

BY ATTORNEY BOIES:

Q. No I'm saying you haven't heard of LibGen --

A. No, things like it. Things like it. I understand what you're saying. It's just a little

hard for me to weigh in on that without looking at the nuances of that case.

And the YouTube example, I just keep raising because it's an example of a thing that -- of a product that over time I think people have alleged have been potentially willful and not doing enough to suppress or kind of clean up copyrighted content and -- so I'm just trying to be careful, because rather than having a conversation in some sort of like absolute about how we would handle that kind of case, I think I'd -- I just would want to have some more time to think through it. I'd want our policy team to think through it. And I also think it makes sense to look at the specifics of the case because -- I mean, I think some people may allege that YouTube fits the characteristics of what you're saying too, and that's an example of the type of website that I would probably not think that we

should bend from using.

But I get that you're trying to ask about something different. It's just that I don't have knowledge of that specific thing.

Q. I am asking a different question, and you know perfectly well that YouTube does not purport to be in the business of distributing copyrighted

materials for which it has no license; correct, sir?

A. Yes. So you're saying that another website goes out of its way to communicate that it's distributing illegal materials?

Q. Yes, sir.

And you certainly agree you don't want to do business with somebody like that; right?

ATTORNEY GHAJAR: Objection. Assumes facts and incomplete hypothetical.

THE WITNESS: I mean, in general if someone is broadcasting loudly that they're doing something that is illegal, that would be a pretty big red flag that I'd want us to look at carefully before engaging with them in any way.

Now, if in the context of building like a web crawler or something like that, you know, it's -- I don't expect the web crawler to understand the context of each of the -- the websites and maybe some of it would be included in that so I just want to be careful about having some kind of, like, blanket statement on this.

But, yes, if someone is generally broadcasting and saying "we're doing something illegal," then I would want my teams to, you know, be very careful and not just default into using that

thing.

BY ATTORNEY BOIES:

Q. I'm talking a little bit more about just being very careful?

A. About what?

Q. And I'm trying --

I'm talking a little bit more about just -- than just being careful.

I'm asking you, as the CEO of Meta, what nuance do you see in downloading materials from a site that intentionally, and outwardly, says that it

is providing copyrighted works for which it has no license?

What's the nuance there, sir?

ATTORNEY GHAJAR: Objection. Vague. Assumes facts.

THE WITNESS: You know, I just want to be careful because in my experience running the company and dealing with different content policies and things like that, a lot of things which seem obvious immediately, upon further inspection and looking at it from different angles, there are -- there is more nuance to it. So I'm just sort of saying that in response to your hypothetical, I think it deserves more than a knee jerk response even though the way

that you are characterizing it is certainly something that would be predisposed to look at and think, "Hey, that looks negative. I'd want to dig into this."

But one example that I just gave a moment ago is what -- what Spidermate does in crawling. And we covered this earlier; right? So I think that

there's a probably somewhat of a different between the team making an intentional decision to go out and engage with, or partner with, a website that is -- purports to be, kind of, blatantly doing something illegal as opposed to something like Spidermate where the goal of it is crawl the web. And it's not -- it's not making an assessment of whether the content on any given website is legal or harmful or anything. It basically is downloading and making -- doing a web crawl. And then it's kind of up for maybe for us later to filter some things out but in that case we may have a system that is engaging with a website like that and downloading that content and that may be something that at least for the first round of how that product or technology works you would want it to go crawl that website even if were doing something that were illegal and then it would be up the product teams

later to decide whether they would want to include it in some way.

But this is all just sort of an example of -- I think these things can sometimes end up

being more nuanced than they initially seem is basically the main point that I'm making, but I agree with your basic point that it seems problematic and I would look at it with a general, you know, prejudice or bias up front thinking that was probably bad, but I think it deserves a little bit more thought just a, you know, me opining on a hypothetical here.

BY ATTORNEY BOIES:

Q. I want to the come back to my question, but you mentioned Spidermate in this context. And you mentioned Spidermate crawling the web, including going to these websites that have the illegal pirated materials.

You could tell Spidermate not to go to those websites, could you not, sir?

ATTORNEY GHAJAR: Objection. Assumes facts.

THE WITNESS: Yes. There are ways --

BY ATTORNEY BOIES:

Q. Okay.

A. -- to tell Spidermate to not crawl specific things --

Q. Okay.

A. -- including things like, you know, robots.txt that, you know, when Spidermate is -- or any web crawler is crawling, it can read something in a very specific format that says "Hey, is this supposed to be crawled or not?"

But I don't think, as it is built today, Spidermate makes any assessment of the content or tries to understand the content or summarize it enough to make a judgment about whether the content is worthy of being included other than, you know, whether we basically put it on a block list or whether some robots.txt says that it shouldn't be crawled.

Q. When you -- when you refer to the "block list," what are you referring to?

A. I'm referring to your hypothetical. I'm not aware that anything like that makes sense. You were just asking whether we could block something, and I think that, in theory, it would probably be easy to make list of domains that we didn't want Spidermate to crawl, but then we would've needed to have gone and done that analysis in advance and put

So I -- in this I think there is this question about, like, an author or a copyright holder may not want something to be shared -- I don't know. I think that that's -- it's an interesting question about whether there's any kind of public interest in that.

I mean, I think -- and these are -- these are interesting copyright questions overall that I think will be maybe resolved through this case, but, like -- but, you know, as a -- just to take an analog example -- and I can cut off at any point that you want.

BY ATTORNEY BOIES:

Q. Any time would be good. Because I'm going to run out of time.

A. Okay. Go for it. I'll stop.

Q. What I'm trying to do is I'm trying to focus here on --

I accept that you want to have as much data to train your models as you can, and I accept that the more data that you have, the better the models are going to be, and I accept having good

models is productive. Okay?

What I'm asking you is whether there are certain standards that you would expect your company

to adhere to in terms of sourcing that data.

I mean, just for example, you saw one of the Meta people saying "we shouldn't use pirated datasets as a source."

Do you agree with that as the CEO?

ATTORNEY GHAJAR: Objection. First, the preamble misstates prior testimony. Second, asked and answered. Third, vague.

THE WITNESS: I think I'd need to understand it more, but, I mean, in general if someone's characterizing something as pirated, that seems like at a minimum a pretty big red flag to understand whether it's a useful thing.

But I just -- I want to avoid a kind of wholistic, you know, absolute response to this because I think that there's all these exceptions where things may be in the public good or you -- and, like, you want to -- you know, even if someone doesn't want a specific dataset about them or

something that they produced to be out there, there's just a lot of precedent, both in copyright law and -- just in society more broadly about why it might be good to use those things. So I guess in general my view is, yeah, if someone thinks that something is pirated, that's in general a pretty

negative connotation and a red flag that we should look into it, and I would want us to do that.

Can I sit here right now and give, like, a wholistic response that I would want to immediately ban our use of that without more thorough consideration of the -- of the pros and cons, of the nuances of that? I just think that my experience on this stuff is that this -- sometimes there's more nuance. Sometimes there isn't and sometimes you kind of dig in further and you're like, no, this is just really bad, we shouldn't do it. I'm not saying that, like, we justify anything. I mean, obviously there are a lot of things that we decided not to do, but I guess I just want to be careful about giving too quick of a knee-jerk reaction to that.