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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 3:23-cv-03417-VC

PLAINTIFFS' STATEMENT OF SUPPLEMENTAL AUTHORITY

Pursuant to Civil Local Rule 7-3(d)(2), Plaintiffs respectfully submit this Statement of Supplemental Authority concerning the parties' motions for partial summary judgment. On May 9, 2025, the United States Copyright Office released Part 3 of its Report on Copyright and Artificial Intelligence, titled "Generative AI Training" (the "Report").[1] The Report addresses several key issues discussed in the parties' respective motions regarding the use of copyrighted works in the development of generative AI systems and application of the fair use doctrine. *See Fox Television Stations, Inc v. Aereokiller, LLC*, 851 F.3d 1002, 1013 (9th Cir. 2017) ("it is clear the Copyright Office is entitled to at least *Skidmore* deference"). A copy of the Report is attached as **Exhibit A**.

By: /s/ *Maxwell V. Pritt*
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[1] The Report is designated "a pre-publication version" but also provides that the "final version will be published in the near future, without any substantive changes expected in the analysis or conclusions."

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