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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CONCORD MUSIC GROUP, INC., ET AL.,

Plaintiffs,

vs.

ANTHROPIC PBC,

Defendant.

Case No. 5:24-cv-03811-EKL-SVK

DECLARATION OF BRITTANY N. LOVEJOY IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED (ECF NO. 301)

Hon. Eumi K. Lee
Magistrate Judge Susan van Keulen

I, Brittany N. Lovejoy, declare the following:

1. I am a partner at Latham & Watkins LLP and counsel of record for Defendant Anthropic PBC ("Anthropic") in this case. I have personal knowledge of the matters stated in this declaration, and if called as a witness, I could and would competently testify to them.

2. I submit this declaration in accordance with Civil Local Rules ("L.R.") 7-11(a) and 79-5(c) in support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Material Should Be Sealed concerning certain exhibits to the Parties' Joint Discovery Dispute Statement Regarding Anthropic's Searches and Production of Claude Prompts and Output ("Discovery Dispute Statement"). *See* ECF No. 301.

3. Pursuant to Local Rule 79-5(c), the following table identifies the portions of the Discovery Dispute Statement (the "Sealed Document") which contain highly confidential, nonpublic Anthropic business and technical information.

Document	Text to be Sealed	Basis for Sealing
Discovery Dispute Statement (ECF No. 301-2)	Highlighted portions at pages 6–7, 10.	Contains highly confidential nonpublic information relating to Anthropic's business practices and operations, including specific and sensitive metrics related to Claude usage, public disclosure of which would cause competitive harm to Anthropic, and the contents of specific prompts and outputs, public disclosure of which would unduly intrude on the privacy of third-party Claude users.

4. The Sealed Document contains highly confidential, nonpublic, and closely guarded information regarding Anthropic's business practices and operations, including specific and sensitive information regarding the volume of prompt and output data and metrics related to Claude usage. Consistent with the practices of its competitors, Anthropic treats this information as highly confidential and does not disclose this information to the public. Metrics regarding Claude usage, including but not limited to information about the number of prompts entered by Claude users during a given time period, is business-confidential, competitively sensitive information.

5. The Sealed Document also includes descriptions of specific prompts entered by Claude users—who are not parties to this litigation—as examples of nonresponsive records resulting from certain proposed searches. Publicly disclosing the contents of users' prompts would unnecessarily intrude on user privacy and undermine Anthropic's commitment to prioritizing the protection of its users' personal data. *See, e.g.*, https://support.anthropic.com/en/articles/8325621-i-would-like-to-input-sensitive-data-into-free-claude-ai-or-claude-pro-who-can-view-my-conversations ("Only a limited number of staff members have access to conversation data and they will only access this data for explicit business purposes.").

6. The public disclosure of the information described in Paragraph 4 would create a significant risk of competitive harm for Anthropic by allowing Anthropic's competitors in the rapidly developing AI market or potential business partners to obtain business-sensitive information about Claude usage that they would not otherwise have access to. Public disclosure of the information described in Paragraph 5 would unnecessarily intrude on the privacy interests of Anthropic's users and undermine Anthropic's commitment to protecting that privacy. Such harm could not be avoided by less restrictive means than the narrowly tailored sealing of these documents.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 12, 2025, at Arlington, Texas.

/s/ Brittany N. Lovejoy
Brittany N. Lovejoy