EXHIBIT 9

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CONCORD MUSIC GROUP, INC., ET AL., Plaintiffs, v. ANTHROPIC PBC, Defendant.	Case Number: 5:24-cv-03811-EKL-SVK Judge Eumi K. Lee Magistrate Judge Susan van Keulen

REBUTTAL EXPERT REPORT OF DR. SHAWN SHAN

January 23, 2026

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respect robots.txt, undermining the argument that the company's crawling practices are justified by a consistent adherence to industry-standard exclusion protocols.

19. Fourth, even if a crawler intends to follow the rules, the technical reality of how bots access robots.txt makes it an unreliable barrier. These files act as "No Trespassing" signs that a website owner can change at any moment; however, crawlers do not look at the sign before every visit. Instead, they save (or "cache") a copy of the rules and continue to use it for long periods. The official internet standard for this protocol, RFC 9309, [CITE: RFC 9309, Sec 2.4] explicitly states that crawlers should not rely on a saved copy of these rules for more than 24 hours. Recent empirical research has measured the actual behavior of major bots and found that they frequently fail to meet this standard. Specifically, a large-scale study titled "Scrapers Selectively Respect robots.txt Directives: Evidence From a Large-Scale Empirical Study"[13] measured the behavior of major bots and found that AI-related crawlers—including the category for ClaudeBot—have the lowest re-check rates on the internet. The study revealed that a significant portion of AI bots fail to verify a site's directives even once a week (168 hours). Because of this delay, when a website owner updates their robots.txt to block access, the bot frequently fails to register the change immediately, continuing to crawl and ingest protected content based on outdated and invalid permissions.

20. Fifth, Dr. Bilmes' claim that Anthropic "was permitted to crawl at least 98.12%" of the URLs containing Plaintiffs' lyrics is simply wrong. This statistic conflates the absence of a technical block with affirmative legal permission. Dr. Bilmes's methodology (detailed in his own footnotes 576 and 580) counts a website as "permitting" crawling if it either had no robots.txt file at all or did not explicitly block Anthropic's specific crawler or did not block all crawlers. He treats silence—or the mere absence of a technical barrier—as affirmative consent. A website owner's failure to configure a specific technical file does not constitute a grant of rights. Dr. Bilmes improperly reframes "not prohibited" as "permitted," inflating the statistics to suggest a consensus

[13] Taein Kim et al., *Scrapers Selectively Respect robots.txt Directives: Evidence from a Large-Scale Empirical Study*, ARXIV:2505.21733 (Oct. 23, 2025), https://arxiv.org/pdf/2505.21733.

Dated: January 23, 2026

Shawn Shan