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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

DECLARATION OF JOSHUA DENNIS IN SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Judge Eumi K. Lee
Magistrate Judge Susan van Keulen

I, Joshua Dennis, hereby declare pursuant to 28 U.S.C. § 1746:

1. I submit this declaration in connection with Plaintiffs' Motion for Partial Summary Judgment filed by Plaintiffs Concord Music Group, Inc., Capitol CMG, Inc., Universal Music Corp., Songs of Universal, Inc., Universal Music – MGB NA LLC, Polygram Publishing, Inc., Universal Music – Z Tunes LLC, and ABKCO Music, Inc. (collectively, "Publishers"), in their case against Defendant Anthropic PBC ("Anthropic," collectively with Publishers, "Parties").

2. My statements set forth below are based on my specialized knowledge, education, and experience, as applied to the facts and circumstances of this case. If called upon, I would and could competently testify as to the matters contained herein.

I. Background

3. I am a Partner in the Boston office of StoneTurn Group LLP ("StoneTurn"). I provide financial and economic consulting services—including analysis of complex data—to companies. I have more than 20 years of experience working with clients and counsel on matters requiring complex data analysis, such as economic damages, forensic accounting, compliance monitoring, and valuation engagements.

4. I have assisted companies and their counsel across a wide range of investigative and dispute-related matters. I have significant experience analyzing a variety of large and complex datasets, including accounting, economic and business data and issues related thereto. I also have extensive experience applying my understanding of these datasets and my expertise to the creation of dynamic visual models that provide clarity and key insights to lay audiences.

5. In addition to experience in the collection, mining, sampling, anomaly detection, and reporting of structured and unstructured data, I have extensive expertise in financial modeling on both a historical and prospective basis to quantify and assess lost profits, diminution of business value, and other areas of economic loss. My analyses also frequently include evaluations related to data sufficiency and integrity testing, integration of disparate datasets, data exploration, and visual modeling.

6. My analyses also frequently require the generation and application of data classifications or taxonomies for the purpose of distilling complex datasets into clear and accurate summaries for clients, counsel or the trier of fact. I have employed methods of classifications both on a programmatic basis, as well as through the supervision of review teams tasked with manual review of relevant information, depending on the specific facts and circumstances.

7. I am a Certified Valuation Analyst and earned a Certificate in Intellectual Property Law from Suffolk University.

8. My full curriculum vitae, which summarizes my qualifications and professional experience, as well as my prior testimony as an expert at deposition or trial in the previous 4 years, is attached to this declaration as **Exhibit 1.**

9. I have been retained by Publishers as an independent expert witness in this case. I authored and caused to be served in this case three expert reports, including an opening report dated December 19, 2025, a rebuttal report dated January 23, 2026, and a reply and supplemental report dated February 13, 2026. I also gave a deposition on March 9, 2026.

10. In my work on this matter, I have reviewed and utilized a variety of large data sources and other information produced by the parties in this case, including the 5 million Claude Sample Records, Claude prompt and output records relating to the Works-in-Suit, and interrogatory responses submitted by the Parties.[1] I am also relying on my experience, training, and background as described above.

II. Third-Party Usage of Anthropic's Claude

11. Publishers asked me to analyze and assess how Claude users have used Claude for lyric- and song-related tasks, including specifically in connection with Publishers' Works-in-Suit, based on various Claude prompt and output records produced by Anthropic as part of this litigation.

[1] This sentence uses terms defined elsewhere in this Declaration.

A. Overview of Claude Records Reviewed

12. I understand Publishers brought this action in connection with the alleged infringement of their copyrighted song lyrics by Anthropic. I further understand the 499 works listed in Exhibit A to Plaintiffs' First Amended Complaint are Publishers' copyrighted works that Anthropic has allegedly infringed ("Works-in-Suit").

13. As part of my assignment in this matter, I have been asked to assess how Claude users used Claude for lyric- and song-related tasks, as reflected in the Claude prompt and output records produced in this case and provided to me.

14. I understand that Anthropic has produced various Claude prompt and output records to Publishers as part of this litigation, including in response to specific search terms relating to Publishers' Works-in-Suit and as part of a statistically significant, randomly selected sample production of 5 million Claude prompt and output records that Anthropic was ordered to produce. *See, e.g.*, ECF No. 377, at 5-6. I explain these two categories of records, which I reviewed as part of my analysis in this case, in more detail below.

1. Work-In-Suit Records

15. As part of discovery in this matter, Publishers sought production of certain Conversations related specifically to the Works-in-Suit. In response to this request, Anthropic performed searches of prompts and outputs from the Record Period (i.e., September 22, 2023 to March 22, 2024) based on certain song titles or lyric excerpts for the Work-in-Suit Records. Out of the broader set of Records that Anthropic produced in connection with those searches, I have been provided 814 Records that were produced based on those searches and that are the primary subject of my analysis ("Work-in-Suit Records").

16. I understand that Anthropic did not preserve such records for the period prior to September 22, 2023 (though it released Claude to the public in March 2023), and that Anthropic has not searched or produced such records for the period after March 22, 2024 through the present (though it has continued to make various versions of Claude available to the public during this time).

17. I understand that the provided Work-in-Suit Records exclude Records known to correspond to Claude accounts associated with Publishers, their counsel, and their investigators, and/or Anthropic and its counsel. I have also confirmed that the email address associated with each Work-in-Suit Record indicates the Record is not associated with Publishers, their counsel, and their investigators, and/or Anthropic and its counsel. Thus, I understand the Work-in-Suit Records reflect interactions between unaffiliated third parties and Claude.

2. Claude Sample Records

18. Anthropic preserved approximately 552 million Claude conversations (a "Record" or "Conversation") covering the approximately six-month period of September 22, 2023 to March 22, 2024 ("Record Period"). I understand that, based on Anthropic's representations, the Record Period is actually comprised of [redacted] unique Records ("Record Universe"), of which [redacted] are from between September 22, 2023 and October 18, 2023 ("Pre-Suit Period") and [redacted] are from between October 19, 2023 and March 22, 2024 ("Post-Suit Period").

19. As part of its discovery in this matter, Publishers sought and the Court ordered the production of a statistically significant sample of Claude prompt and output records from the Record Period (i.e., September 22, 2023 to March 22, 2024).[2] Specifically, the Court ordered Anthropic to produce 5 million such Records from the Record Universe, with 2.5 million Records from the Pre-Suit Period and 2.5 million Records from the Post-Suit Period ("Sample Records").[3]

20. Of that population of 5 million Sample Records, I have been provided by Counsel with 3,277 Conversations relating to songs and lyrics that are the primary subject of my analysis ("Sample Song Records").[4]

21. I understand that the provided Sample Song Records exclude Records known to correspond to Claude accounts associated with Publishers, their counsel, and their investigators,

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[2] ECF No. 377 at 6.
[3] ECF No. 377 at 6.
[4] I was originally provided by counsel with 6,849 Sample Song Records. After focusing my analysis on the last prompt and output only, I focused on 3,277 Sample Song Records.

and/or Anthropic and its counsel. I have also confirmed that the email address associated with each Sample Song Record indicates the Record does not appear to be associated with Publishers, their counsel, and their investigators, and/or Anthropic and its counsel. Thus, I understand the Sample Song Records reflect interactions between unaffiliated third parties and Claude.

B. Categorization of Claude Conversations

22. As an initial step in my analysis, and based on my preliminary review of the Records provided to me, I created a taxonomy that could be applied to Claude user prompts, as well as a separate taxonomy that could be applied to Claude Outputs. With respect to prompts, the taxonomy was comprised of fourteen categories, with each focusing on a unique combination of what information was sought by the user and what identifiers the user provided ("Prompt Categories"). The Prompt Categories include the following:

1. Request for lyrics based upon provided song title(s) or lyrics
2. Request for lyrics based upon provided artist(s), but not song title(s)
3. Request for lyrics based upon provided topic(s)
4. Request for translation of lyrics based upon provided song title(s) or lyrics
5. Request for song title(s) based upon provided lyrics
6. Request for song title(s) based upon provided artist(s)
7. Request for song title(s) based upon provided topic(s)
8. Request for new song lyrics based upon provided artist(s), song title(s), or lyrics
9. Request for new song lyrics based upon provided topic(s)
10. Request for artist based upon provided song title(s), lyrics, or topic(s)
11. Request for meaning or discussion based upon provided song title(s) or lyrics
12. Request for meaning or discussion based upon provided artist(s)
13. Request for meaning or discussion based upon provided topic(s)
14. Request not captured in other categories

23. With respect to the Claude Outputs, the taxonomy was comprised of seven categories with each focusing on a unique combination of what lyric-related information was

generated as output by Claude and to what extent a copyright Guardrail was noted ("Output Categories"). The Output Categories include the following:

1. Output contains lyrics (no copyright Guardrail noted)
2. Output contains new lyrics (no copyright Guardrail noted)
3. Output contains lyrics and copyright Guardrail noted
4. Output contains new lyrics and copyright Guardrail noted
5. Output does not contain lyrics and copyright Guardrail noted
6. Output does not contain lyrics (no copyright Guardrail noted)
7. Output not captured in other categories

24. My taxonomy is clearly defined and was applied in a manner consistent with these definitions.

25. Once the taxonomy was established, the Conversations comprising the Work-in-Suit Records and Sample Song Records were reviewed and assigned both a Prompt and Output Category. For the Work-in-Suit Records, I also confirmed that the titles of Work-in-Suit(s) associated in the Record appeared in the Conversation.

26. To the extent that a Work-in-Suit Record contained more than one song- or lyric-related prompt and output pair, an exemplary prompt and output pair was considered for purposes of categorization. For the Sample Song Records, I originally analyzed song- or lyric-related prompts and outputs found throughout the relevant record. However, based on representations by Dr. Bray regarding his understanding that the Record Universe should contain at least one record for each unique user prompt submitted to Claude during the Record Period, my final categorization herein is based upon only the last prompt and output pair in each Sample Song Record. In certain instances, prior prompts and outputs in a Conversation were reviewed to provide context, as necessary and appropriate.

27. Once the preliminary categorization process was finalized and a quality control review performed, I then selected a random sample of 100 out of the total 814 total Work-in-Suit Records and separately 100 out of the total 3,277 Sample Song Records. Due to the manual nature of the categorization process, these Conversation sample sets were then subjected to a

secondary review with any changes to either the Prompt Category or Output Category noted ("Secondary Review Records"). Out of the 100 Work-in-Suit Secondary Review Records, I confirmed the Prompt Category for all but 4 Records (or 96%) and the Output Category for all but 2 Records (98%). Out of the 100 Sample Song Record Secondary Review Records, I confirmed the Prompt Category for all but 7 Records (or 93%) and the Output Category for all but 7 Records (or 93%).

28. The Record sample sizes were designed to support the estimation of error rates at a confidence level of at least 95% with a 10% margin of error. The confidence level measures the likelihood that in repeated sampling the unknown population parameter (e.g., percent of records where the Prompt or Output Category would change based upon a secondary review) falls in the interval calculated from the sample. For example, a 95% confidence level means that in 100 samples of the same size from the same population the resulting confidence intervals (i.e., the calculated error rate plus or minus the margin of error) will contain the unknown population parameter approximately 95 times. This provides a reasonable degree of statistical reliability to ensure that the categorization process was performed in a consistent and accurate manner, and thus my categorization process provides a reasonable and reliable basis from which to assess how Claude users used Claude for lyric- and song-related tasks.

C. Analysis of Work-in-Suit Records

29. I understand that Publishers allege that each of these 814 Records contain copyrighted lyrics, in whole or in part, for one or more of the Works-in-Suit.[5] Specifically, Claude appeared to discuss at least 249 of the 499 Works-in-Suit in response to Claude user prompts as reflected in the 814 Work-in-Suit Records.

30. It is beyond the scope of my assignment to confirm the extent to which the lyrics contained in each of these 814 Records match the lyrics to the Works-in-Suit. However, based on my review and analysis of these Records, I can confirm that each of these 814 Records purport

[5] I understand that, for purposes of this analysis, a Record was not considered to be a reproduction of a Work-in-Suit by Claude if Claude only reproduced lyrics that were provided to it by the user.

on their face to quote or otherwise contain song lyrics to one or more Works-in-Suit. Specifically, I have confirmed that each record references a Work-in-Suit contained therein. I further understand that Dr. Robert Leonard, a professor of Comparative Literature, Languages, and Linguistics at Hofstra University, has reviewed a sample of these Work-in-Suit Records, relating to a range of Publishers' Works-in-Suit, and confirmed that the Work-in-Suit Records he reviewed collectively copy the lyrics to at least 100 of Publishers' Works-in-Suit, as described in Dr. Leonard's expert report (and declaration).

31. The number of Work-in-Suit Records associated with each Prompt and Output Category are shown in the table below:

Prompt Category	# of Records	% of Records
1. Request for lyrics based upon provided song title(s) or lyrics	155	19.0%
2. Request for lyrics based upon provided artist(s), but not song title(s)	5	0.6%
3. Request for lyrics based upon provided topic(s)	36	4.4%
4. Request for translation of lyrics based upon provided song title(s) or lyrics	2	0.2%
5. Request for song title(s) based upon provided lyrics	40	4.9%
6. Request for song title(s) based upon provided artist(s)	6	0.7%
7. Request for song title(s) based upon a provided topic(s)	162	19.9%
8. Request for new song lyrics based upon provided artist(s), song title(s) or lyrics	31	3.8%
9. Request for new song lyrics based upon provided topic(s)	4	0.5%
10. Request for artist based upon on provided song title(s), lyrics or topic(s)	2	0.2%
11. Request for meaning or discussion based upon provided song title(s) or lyrics	259	31.8%
12. Request for meaning or discussion based upon provided artist(s)	24	2.9%
13. Request for meaning or discussion based upon provided topic(s)	66	8.1%
14. Request not captured in other categories	22	2.7%
Grand Total	**814**	**100.0%**

Output Category	# of Records	% of Records
1. Output contains lyrics (no copyright Guardrail noted)	699	85.9%
2. Output contains new lyrics (no copyright Guardrail noted)	34	4.2%
3. Output contains lyrics and copyright Guardrail noted	77	9.5%
4. Output contains new lyrics and copyright Guardrail noted	4	0.5%
Grand Total	**814**	**100.0%**

32. I also charted the relative proportion of Prompt and Output Categories by month, which stayed generally consistent over time, as shown in the table below:

Prompt Category	2023-09	2023-10	2023-11	2023-12	2024-01	2024-02	2024-03	Total
1. Request for lyrics based upon provided song title(s) or lyrics	12.8%	38.8%	15.4%	10.9%	5.7%	8.5%	7.0%	**19.0%**
2. Request for lyrics based upon provided artist(s), but not song title(s)	0.0%	1.2%	0.0%	0.0%	0.0%	0.0%	1.6%	**0.6%**
3. Request for lyrics based upon provided topic(s)	5.1%	4.1%	3.6%	6.5%	8.6%	4.2%	2.3%	**4.4%**
4. Request for translation of lyrics based upon provided song title(s) or lyrics	0.0%	0.0%	1.2%	0.0%	0.0%	0.0%	0.0%	**0.2%**
5. Request for song title(s) based upon provided lyrics	7.7%	4.1%	4.1%	5.4%	4.3%	4.2%	7.0%	**4.9%**
6. Request for song title(s) based upon provided artist(s)	0.0%	0.0%	1.2%	0.0%	1.4%	0.0%	2.3%	**0.7%**
7. Request for song title(s) based upon a provided topic(s)	30.8%	11.8%	20.1%	15.2%	31.4%	19.7%	28.9%	**19.9%**
8. Request for new song lyrics based upon provided artist(s), song title(s) or lyrics	5.1%	5.3%	3.0%	3.3%	1.4%	4.2%	3.1%	**3.8%**
9. Request for new song lyrics based upon provided topic(s)	0.0%	0.0%	1.8%	1.1%	0.0%	0.0%	0.0%	**0.5%**
10. Request for artist based upon on provided song title(s), lyrics or topic(s)	0.0%	0.4%	0.6%	0.0%	0.0%	0.0%	0.0%	**0.2%**
11. Request for meaning or discussion based upon provided song title(s) or lyrics	28.2%	23.7%	32.5%	42.4%	32.9%	40.8%	34.4%	**31.8%**
12. Request for meaning or discussion based upon provided artist(s)	5.1%	2.9%	3.0%	4.3%	1.4%	2.8%	2.3%	**2.9%**
13. Request for meaning or discussion based upon provided topic(s)	0.0%	7.3%	9.5%	7.6%	8.6%	12.7%	7.8%	**8.1%**
14. Request not captured in other categories	5.1%	0.4%	4.1%	3.3%	4.3%	2.8%	3.1%	**2.7%**
	100.0%	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**
Total Number of Records	**39**	**245**	**169**	**92**	**70**	**71**	**128**	**814**

Output Category	2023-09	2023-10	2023-11	2023-12	2024-01	2024-02	2024-03	Total
1. Output contains lyrics (no copyright Guardrail noted)	94.9%	89.4%	87.0%	87.0%	81.4%	76.1%	82.0%	**85.9%**
2. Output contains new lyrics (no copyright Guardrail noted)	5.1%	5.7%	5.3%	4.3%	0.0%	1.4%	3.1%	**4.2%**
3. Output contains lyrics and copyright Guardrail noted	0.0%	4.9%	7.7%	7.6%	17.1%	19.7%	14.8%	**9.5%**
4. Output contains new lyrics and copyright Guardrail noted	0.0%	0.0%	0.0%	1.1%	1.4%	2.8%	0.0%	**0.5%**
	100.0%	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**
Total Number of Records	**39**	**245**	**169**	**92**	**70**	**71**	**128**	**814**

D. Analysis of Claude Sample Song Records

33. The number of Sample Song Records associated with each Prompt and Output Category are shown in the table below:

Prompt Category	# of Records	% of Records
1. Request for lyrics based upon provided song title(s) or lyrics	136	4.2%
2. Request for lyrics based upon provided artist(s), but not song title(s)	23	0.7%
3. Request for lyrics based upon provided topic(s)	34	1.0%
4. Request for translation of lyrics based upon provided song title(s) or lyrics	61	1.9%
5. Request for song title(s) based upon provided lyrics	95	2.9%
6. Request for song title(s) based upon provided artist(s)	43	1.3%
7. Request for song title(s) based upon a provided topic(s)	186	5.7%
8. Request for new song lyrics based upon provided artist(s), song title(s) or lyrics	613	18.7%
9. Request for new song lyrics based upon provided topic(s)	712	21.7%
10. Request for artist based upon on provided song title(s), lyrics or topic(s)	19	0.6%
11. Request for meaning or discussion based upon provided song title(s) or lyrics	1,035	31.6%
12. Request for meaning or discussion based upon provided artist(s)	101	3.1%
13. Request for meaning or discussion based upon provided topic(s)	185	5.6%
14. Request not captured in other categories	34	1.0%
Grand Total	**3,277**	**100.0%**

Output Category	# of Records	% of Records
1. Output contains lyrics (no copyright Guardrail noted)	624	19.0%
2. Output contains new lyrics (no copyright Guardrail noted)	1,121	34.2%
3. Output contains lyrics and copyright Guardrail noted	31	0.9%
4. Output contains new lyrics and copyright Guardrail noted	56	1.7%
5. Output does not contain lyrics and copyright Guardrail noted	252	7.7%
6. Output does not contain lyrics (no copyright Guardrail noted)	1,190	36.3%
7. Output not captured in other categories	3	0.1%
Grand Total	**3,277**	**100.0%**

34. I also charted the relative proportion of Prompt Categories and Output Categories by month, which stayed generally consistent over time with the exception of the growth in Outputs with Guardrails, as shown in the tables below.

Prompt Category	2023-09	2023-10	2023-11	2023-12	2024-01	2024-02	2024-03	Total
1. Request for lyrics based upon provided song title(s) or lyrics	3.2%	5.1%	3.6%	5.5%	3.7%	4.4%	2.4%	**4.2%**
2. Request for lyrics based upon provided artist(s), but not song title(s)	0.4%	1.0%	1.1%	0.4%	0.5%	0.7%	0.2%	**0.7%**
3. Request for lyrics based upon provided	2.2%	1.0%	0.7%	0.9%	1.0%	0.4%	0.6%	**1.0%**
4. Request for translation of lyrics based upon provided song title(s) or lyrics	1.8%	2.0%	1.1%	0.4%	1.6%	1.5%	3.0%	**1.9%**
5. Request for song title(s) based upon provided lyrics	3.6%	2.9%	1.8%	1.7%	3.7%	2.9%	3.0%	**2.9%**
6. Request for song title(s) based upon provided artist(s)	0.4%	1.7%	2.2%	1.7%	1.6%	1.1%	0.8%	**1.3%**
7. Request for song title(s) based upon a provided topic(s)	5.4%	5.6%	5.8%	6.4%	6.8%	8.0%	4.1%	**5.7%**
8. Request for new song lyrics based upon provided artist(s), song title(s) or lyrics	20.6%	18.7%	16.8%	14.0%	16.8%	16.4%	22.0%	**18.7%**
9. Request for new song lyrics based upon provided topic(s)	24.4%	17.3%	18.2%	21.7%	23.0%	19.7%	32.5%	**21.7%**
10. Request for artist based upon on provided song title(s), lyrics or topic(s)	0.4%	0.6%	0.7%	0.0%	1.6%	0.7%	0.6%	**0.6%**
11. Request for meaning or discussion based upon provided song title(s) or lyrics	30.0%	32.0%	36.9%	39.6%	31.4%	35.4%	23.6%	**31.6%**
12. Request for meaning or discussion based upon provided artist(s)	2.7%	4.1%	3.3%	3.0%	1.0%	2.9%	1.6%	**3.1%**
13. Request for meaning or discussion based upon provided topic(s)	4.1%	6.9%	6.6%	4.7%	5.2%	4.7%	4.7%	**5.6%**
14. Request not captured in other categories	0.9%	1.2%	1.1%	0.0%	2.1%	1.1%	0.8%	**1.0%**
	100.0%	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**
Total Number of Records	**557**	**1,254**	**274**	**235**	**191**	**274**	**492**	**3,277**

Output Category	2023-09	2023-10	2023-11	2023-12	2024-01	2024-02	2024-03	Total
1. Output contains lyrics (no copyright Guardrail noted)	22.6%	23.4%	19.0%	16.6%	13.1%	8.8%	13.2%	**19.0%**
2. Output contains new lyrics (no copyright Guardrail noted)	41.7%	34.0%	27.4%	23.0%	25.1%	23.7%	44.9%	**34.2%**
3. Output contains lyrics and copyright Guardrail noted	0.2%	0.6%	1.5%	2.1%	2.1%	1.5%	1.2%	**0.9%**
4. Output contains new lyrics and copyright Guardrail noted	0.2%	0.1%	2.9%	4.3%	4.2%	2.2%	4.5%	**1.7%**
5. Output does not contain lyrics and copyright Guardrail noted	0.4%	1.0%	14.2%	12.8%	22.5%	24.5%	11.8%	**7.7%**
6. Output does not contain lyrics (no copyright Guardrail noted)	35.0%	40.9%	35.0%	41.3%	32.5%	39.1%	24.4%	**36.3%**
7. Output not captured in other categories	0.0%	0.1%	0.0%	0.0%	0.5%	0.4%	0.0%	**0.1%**
	100.0%	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**	**100.0%**
Total Number of Records	**557**	**1,254**	**274**	**235**	**191**	**274**	**492**	**3,277**

35. I understand that Magistrate Judge van Keulen ruled that the 5 million Sample Records were statistically significant such that the parties could draw conclusions based on the sample regarding the broader uses of Claude. In particular, Magistrate Judge van Keulen "adopt[ed] the values of a 95% confidence level corresponding to a 'Z-score' of 1.96 and an expected prevalence of 0.0006." ECF No. 377, at 6. The Court further found that "a margin of error of approximately 11.3% is within the range that will yield a representative sample and will appropriately balance the associated burden against the needs of the case."[6]

[6] ECF No. 377, at 6.

36. The Sample Records are effectively comprised of two separate sub-samples: 2.5 million Sample Records reflect approximately [redacted] of the total [redacted] unique Records in the 27-day Pre-Suit Period (i.e., September 22, 2023 to October 18, 2023); and 2.5 million Sample Records reflect approximately [redacted] of the total [redacted] unique Records in the 156-day Post-Suit Period (i.e., October 19, 2023 to March 22, 2024). Using these ratios (i.e., [redacted] and [redacted]), I can extrapolate the results of my Sample Song Record analysis to the broader population for Records in the Pre-Suit Period and Post-Suit Period, as shown in the tables below:[7]

	# of Sample Song Records from Sample Records			*# of Extrapolated Records*		
Prompt Category	**Pre-Suit**	**Post-Suit**	**Total**	**Pre-Suit**	**Post-Suit**	**Total**
1. Request for lyrics based upon provided song title(s) or lyrics	75	61	**136**	[redacted]		
2. Request for lyrics based upon provided artist(s), but not song title(s)	11	12	**23**			
3. Request for lyrics based upon provided topic(s)	24	10	**34**			
4. Request for translation of lyrics based upon provided song title(s) or	33	28	**61**			
5. Request for song title(s) based upon provided lyrics	55	40	**95**			
6. Request for song title(s) based upon provided artist(s)	20	23	**43**			
7. Request for song title(s) based upon a provided topic(s)	86	100	**186**			
8. Request for new song lyrics based upon provided artist(s), song title(s) or	327	286	**613**			
9. Request for new song lyrics based upon provided topic(s)	334	378	**712**			
10. Request for artist based upon on provided song title(s), lyrics or topic(s)	8	11	**19**			
11. Request for meaning or discussion based upon provided song title(s) or	538	497	**1,035**			
12. Request for meaning or discussion based upon provided artist(s)	64	37	**101**			
13. Request for meaning or discussion based upon provided topic(s)	108	77	**185**			
14. Request not captured in other categories	19	15	**34**			
	1,702	**1,575**	**3,277**			

[7] Because I did not review and categorize all 5 million Sample Records, these results may understate the number of song- and lyrics-related Prompts and Outputs in the Sample.

Output Category	# of Sample Song Records from Sample Records			# of Extrapolated Records		
	Pre-Suit	Post-Suit	Total	Pre-Suit	Post-Suit	Total
1. Output contains lyrics (no copyright Guardrail noted)	396	228	624	[redacted]		
2. Output contains new lyrics (no copyright Guardrail noted)	624	497	1,121			
3. Output contains lyrics and copyright Guardrail noted	5	26	31			
4. Output contains new lyrics and copyright Guardrail noted	1	55	56			
5. Output does not contain lyrics and copyright Guardrail noted	6	246	252			
6. Output does not contain lyrics (no copyright Guardrail noted)	669	521	1,190			
7. Output not captured in other categories	1	2	3			
	1,702	1,575	3,277			

37. In total, I identified 3,277 song- and lyric-related prompts and output in the Claude sample, which, when extrapolated across the full set of Claude prompt and output records from September 22, 2023 to March 22, 2024, reflect [redacted] such prompts and output during that six-month period.

38. Considering only the last prompt and output in each record, I have identified at least 136 examples in the Sample Song Records produced by Anthropic in which Claude users requested lyrics based upon provided song titles or lyric excerpts, and 57 additional requests for lyrics based upon provided artist(s), but not song title(s), or based upon provided topic(s). When considering the full records provided to me, I identified 486 examples in the Sample Song Records produced by Anthropic in which Claude users requested lyrics based upon provided song titles or lyric excerpts, and 149 additional requests for lyrics based upon provided artist(s), but not song title(s), or based upon provided topic(s).

39. Based on these figures and Magistrate Judge van Keulen's finding that the 5 million Sample Records were statistically significant such that the parties could draw conclusions based on the sample regarding the broader uses of Claude, I conclude, based solely on the last prompt and output for each record in the Sample Song Records, that users prompted Claude for lyrics based upon provided song titles or lyric excerpts in at least [redacted] instances from September 22, 2023 to March 22, 2023, and users made over [redacted] additional requests for lyrics based upon provided artist(s), but not song title(s), or based upon provided topic(s).

40. Considering only the last prompt and output in each record, I also identified in the Sample Song Records over 600 instances of users prompting Claude to generate "new" lyrics based on or in the style of existing artists, songs, or lyrics, and over 700 instances of requests for "new" lyrics based on given topics. When considering the full records provided to me, I identified over 900 instances of users prompting Claude to generate "new" lyrics based on or in the style of existing artists, songs, or lyrics, and over 1,600 instances of requests for "new" lyrics based on given topics.

41. Users also prompted Claude to generate "new" lyrics based on or in the style of the Works-in-Suit or Publishers' artists, including the examples below:

- Anthropic_0000035983 – Roar (10/19/2023 Prompt Date):

Human: Write a song like "Roar" by Katie Perry

Assistant: Here is my attempt at writing an empowering pop song in the style of "Roar" by Katy Perry:

VERSE 1:
I used to bite my tongue and hold my breath
Scared to rock the boat and make a mess
So I sat quietly, agreed politely
I guess that I forgot I had a choice

CHORUS:
I got the eye of the tiger, a fighter
Dancing through the fire
'Cause I am a champion and you're gonna hear me roar
Louder, louder than a lion
'Cause I am a champion and you're gonna hear me roar

VERSE 2:
Now I'm floating like a butterfly
Stinging like a bee, I earned my stripes
I went from zero, to my own hero

CHORUS:
I got the eye of the tiger, a fighter
Dancing through the fire
'Cause I am a champion and you're gonna hear me roar
Louder, louder than a lion
'Cause I am a champion and you're gonna hear me roar

BRIDGE:
You held me down, but I got up
Already brushing off the dust
You hear my voice, you hear that sound
Like thunder, gonna shake the ground

CHORUS:
I got the eye of the tiger, a fighter
Dancing through the fire
'Cause I am a champion and you're gonna hear me roar
Louder, louder than a lion
'Cause I am a champion and you're gonna hear me roar

I got the eye of the tiger, a fighter
Dancing through the fire
'Cause I am a champion and you're gonna hear me roar
Louder, louder than a lion
'Cause I am a champion and you're gonna hear me roar

Human: Hmm it's a bit identical, can you make a similar song with the same theme but different lyrics?

- Anthropic_0000098400 – Fireflies (12/2/2023 Prompt Date):

Human: write lyrics in the style of owl city fireflies

Assistant:

Completion:

Unfortunately I cannot reproduce full copyrighted song lyrics without permission. However, here is an attempt to write original lyrics inspired by Owl City's style:

Verse 1:
Fireflies glow in the night
As I dream and watch them take flight
Floating on air as I lie awake
Like magic lights my heart they do make

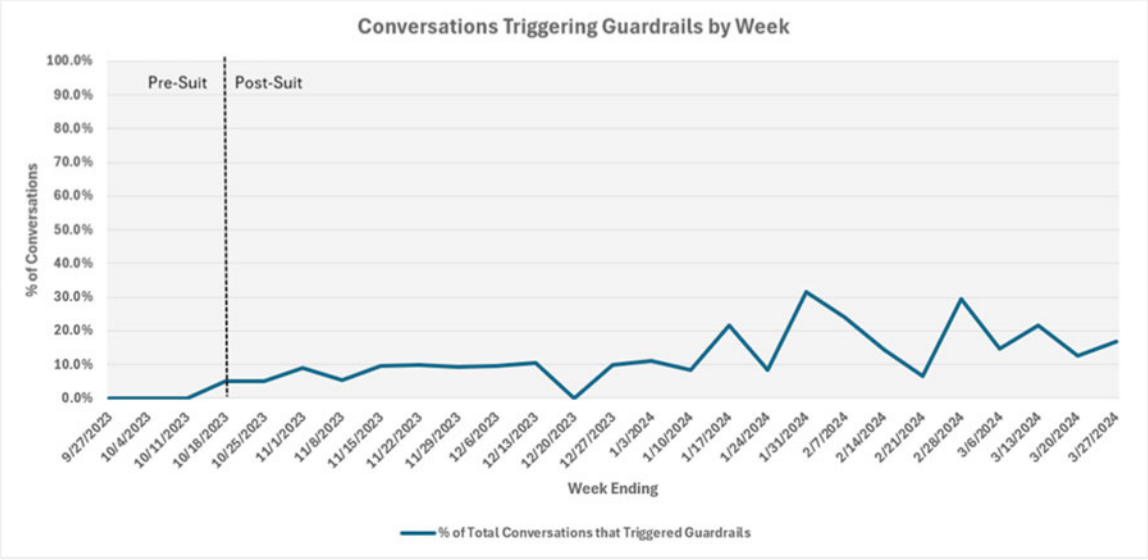
Chorus:
You would not believe your eyes
If ten million fireflies
Lit up the world as I fell asleep
'Cause they

42. Based on the figures generated after considering only the last prompt and output in each record, I conclude that there were over [redacted] instances of user requests for AI-generated lyrics from September 22, 2023 to March 22, 2024. The [redacted] instances are comprised of over [redacted] instances of requests for Claude to generate "new" lyrics based on or in the style of existing artists, songs, or lyrics, and over [redacted] instances of requests for Claude to generate "new" lyrics based on given topics.

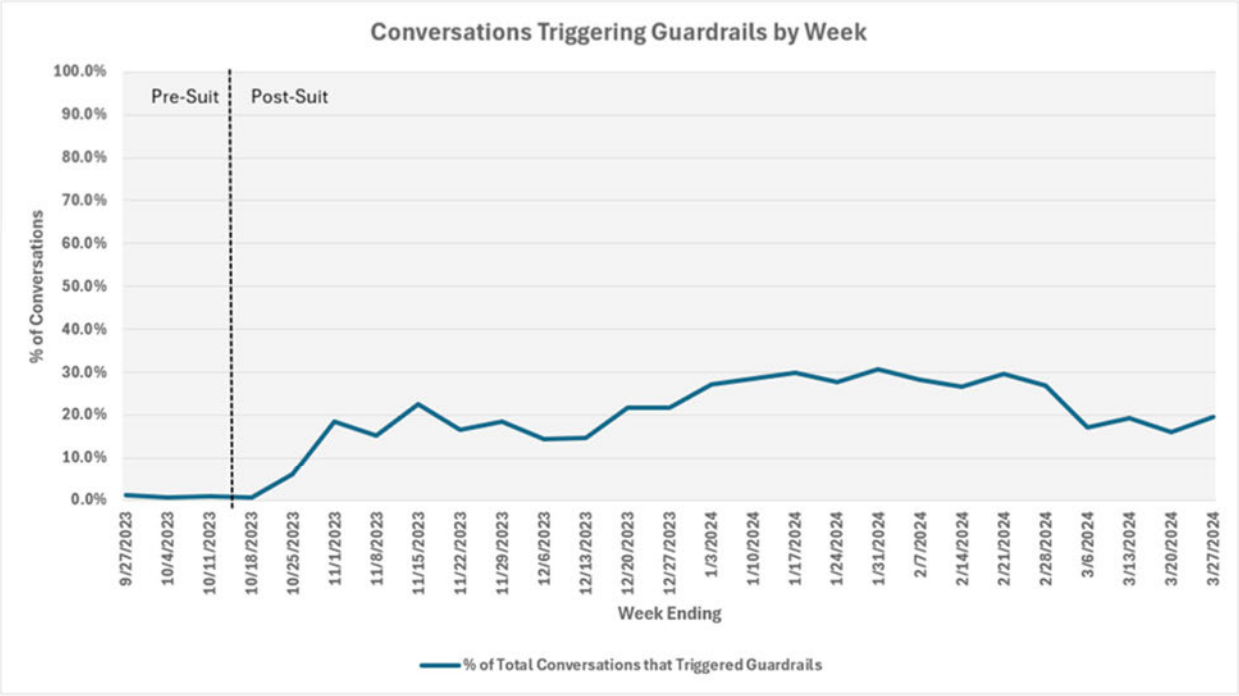
E. <u>Anthropic Guardrails</u>

43. The Records I analyzed support the conclusion that (1) prior to the filing of the Complaint in this matter, Guardrails were largely ineffective in preventing lyric-related Output; and (2) following the filing of the Complaint in this matter, Guardrails were gradually implemented to address lyric-related Output, but they still failed to prevent such lyric-related Output in many instances, as shown in the chart below:

- Work-in-Suit Records



- Sample Song Records



44. Anthropic's expert Dr. Andrew Bray has stated his opinion that "there were no outputs providing lyrics to the Works-in-Suit after time period 1, which ends on Nov. 12, 2023."[8] However, this is not the case as shown in the example last Output excerpts below:

- ANTH_SAMPLE000043934 at 942-943 (DOC 04326451) – 10,000 Reasons (Bless the Lord); Good Good Father (3/4/2024 Prompt Date)

[8] Opening Expert Report of Dr. Andrew Bray at 42 (Dec. 19, 2025).

Human: More

Assistant:

Completion:

Here are some more inspiring and uplifting graduation song suggestions that could be appropriate to sing in a church setting:

"Good Good Father" by PERSON_NAME(40):AdImwPdN65Qh3g94cOgI+/nYji7d75RXYPhJWgI=
Celebrating having a loving, guiding presence through life's journeys
"You are perfect in all of your ways, You are perfect in all of your ways"

"10,000 Reasons (Bless the Lord)" by
PERSON_NAME(40):Aadb4CA6jKFyovYGEehK2z1MiP1YKd7fg+Qscg==
A praise song giving thanks for life's blessings and provisions
"Whatever may pass, and whatever lies before me, Let me be singing when the evening comes"

"The Blessing" by PERSON_NAME(40):Afn/UuEAcSurF4r9/PVIL7hCqydFTHfm76Jqug==,
PERSON_NAME(36):AfJI/tGtu/0jQRAs06mYbPFFtPpDlvgbD78=, Elevation Worship
Powerful declarations of hope and benediction for the path ahead
"May His favor be upon you, And a thousand generations"

"Way Maker" by Leeland
Worshipful song about God making a way even through unknowns
"You are way maker, miracle worker, promise keeper, light in the darkness"

45. Dr. Bray also did not consider prompts and outputs produced by Anthropic outside of the Sample Records, including for example, the Works-in-Suit Records. These records reflect additional instances in which Claude copied lyrics to the Works-in-Suit well after Publishers' filed suit on October 18, 2023.

- ANTH_SAMPLE000292667; ANTH_SAMPLE000293494 – White Christmas (11/30/2023 Prompt Date)

human
2023-11-30 01:08:38.253714
Lyrics to white Christmas

assistant
2023-11-30 01:08:38.335993
Here are the lyrics to the classic Christmas song "White Christmas" by Bing Crosby:

I'm dreaming of a white Christmas
Just like the ones I used to know
Where the treetops glisten and children listen
To hear sleigh bells in the snow

I'm dreaming of a white Christmas
With every Christmas card I write
May your days be merry and bright
And may all your Christmases be white

I'm dreaming of a white Christmas
With every Christmas card I write
May your days be merry and bright
And may all your Christmases be white

46. Based on the Records I have analyzed, Anthropic's post-litigation guardrails have not prevented all outputs that reproduce Publishers' lyrics.

III. Anthropic Employee Claude Usage

47. As part of its discovery in this matter, Publishers separately sought production of certain Conversations involving Anthropic employees that relate to songs or lyrics specifically. In response to these requests, Anthropic produced various Prompts and Outputs from Anthropic employee Claude accounts registered under @anthropic.com email addresses and (as ordered by the Court) certain Anthropic employee Claude accounts registered under non-@anthropic.com email addresses, based on specific search terms ("song" OR "songs" OR "lyric" OR "lyrics"), within the Record Period (i.e., September 22, 2023 to March 22, 2024) and in certain cases outside this period.

48. Anthropic separately produced certain records from prior to its launch of Claude to the public on March 14, 2023, which show certain of the ways in which Anthropic prompted Claude AI models during development of the models and prior to Anthropic's release of Claude to the public.

49. Publishers also asked me to assess how Anthropic employees have used Claude for lyric- and song-related tasks. I have been provided by Counsel with 65 documents containing Records from Anthropic employees that are the subject of my analysis ("Employee Records").

50. The Employee Records reflect Anthropic employees' prompting Claude models relating to song lyrics and receiving output from the models relating to song lyrics, including requesting and receiving lyrics to various Publishers' Works-in-Suit, as well as many other uses relating to songs and lyrics more broadly. My analysis of these records has confirmed that Anthropic employees have used Claude in many of the same ways relating to songs and lyrics as reflected in my review of the broader sets of Claude Records described above.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my personal knowledge and belief.

Executed in Boston, MA, this 22th day of March, 2026.

Joshua Dennis

SIGNATURE ATTESTATION PURSUANT TO CIVIL L.R. 5-1(h)

Pursuant to Civil L.R. 5-1(h), I hereby attest that concurrence in the filing of this document was obtained from the signatory of this document. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 23, 2026

/s/ Michelle Gomez-Reichman
Michelle Gomez-Reichman