EXHIBIT 146



HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Transcript of Ben Zhao, Ph.D.

Date: February 20, 2026
Case: Concord Music Group -v- Anthropic

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

- - - - - - - - - - - - - - - - x
CONCORD MUSIC GROUP, INC., et al.,
Plaintiffs,
v.
ANTHROPIC PBC,
Defendant.
: Case No. 5:24-cv-03811-EKL-SVK
- - - - - - - - - - - - - - - - x

Highly Confidential
Attorneys' Eyes Only
Pursuant to the Protective Order

Videotaped Deposition of BEN ZHAO, Ph.D.
Chicago, Illinois
Friday, February 20, 2026
9:06 a.m. CST

Job No.: 621063
Pages: 1 - 462
Stenographically Reported By:
Michelle M. Yohler, CSR, RMR, CRR

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Deposition of BEN ZHAO, Ph.D., held at the location of:

ARNOLD & PORTER
70 West Madison Street, Suite 4200
Chicago, Illinois

Pursuant to notice before Michelle M. Yohler, a Certified Shorthand Reporter, Registered Professional Reporter, Registered Merit Reporter, Certified Realtime Reporter, and a Notary Public, CSR No. 84-4531, in and for the State of Illinois.

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APPEARANCES

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(Continued)

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APPEARANCES CONTINUED

ALSO PRESENT:
Mr. Ian Chen,
In-House Counsel for Anthropic
Mr. James Porter, Videographer

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music and lyrics, doesn't it?
MR. HOWELL: Objection. Form. Vague.
BY THE WITNESS:
A So I stand by what I wrote, which is that there are other applications outside of music and lyric-based use cases.
BY MS. MEHTA:
Q And other than your analysis of the Clio data, you don't have any other data as to what the relative use is of music and lyrics use cases versus all of those other applications, correct?
MR. HOWELL: Objection. Form. Vague. Asked and answered.
BY THE WITNESS:
A I believe if we're talking specifically about Claude, really the only ones who can definitively answer that question is Anthropic because only they would have been privy to a detailed analysis of user queries.
BY MS. MEHTA:
Q So you yourself don't have that data?
A No, I don't have --
MR. HOWELL: Objection --
BY THE WITNESS:
A -- that data.

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MR. HOWELL: Objection. Form.
BY MS. MEHTA:
Q Okay. I'm going to hand you your reply report, which has been marked as Exhibit Number 4.
(WHEREUPON, Zhao Exhibit No. 4 was presented to the witness.)
BY MS. MEHTA:
Q If I could have you turn to Paragraph Number 116.
A Yes.
Q At Paragraph Number 116, you comment on Dr. Bilmes' analysis of guardrails or filters on third-party applications powered by Claude.
Do you see that?
A Yes.
Q And then you state: "Anthropic has no control over such applications even though they make Claude readily accessible to millions of users."
Do you see that?
A Yes.
Q Do you stand by that?
A I believe my statement is that actually Dr. Bilmes acknowledges that Anthropic has no control over the third-party applications. I --

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myself, I don't recall making a statement to that effect.
Q Well, I'm asking you whether you believe -- actually, why don't I -- why don't I have you go to your first report. Maybe this will help.
Go to Paragraph 119 of your first report.
A Okay.
Q Paragraph 119, you say: "Anthropic's guardrails may be removed by Anthropic's clients through which users may access Claude without Anthropic's guardrails."
Do you see that?
A I'm sorry. I don't see that. Is this on Page 44 then?
Q It's 119 of the opening report, which is page --
A 43 and 44. Okay.
Q Yes. Guardrails may be removed by Anthropic's clients.
Do you see that?
A I don't see that. Are we looking at the same thing? So this is Paragraph 119 from Exhibit 1?
Q No, Exhibit 2. I'm sorry. The rebuttal

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report. Thank you.
A Okay. So -- okay.
Okay. Yeah. I see that paragraph.
Q Okay. And my question to you is: Do you agree with Dr. Bilmes that Anthropic does not have control over what its third-party applications -- what these third-party applications do with respect to Anthropic's guardrails?
MR. HOWELL: Objection. Form.
BY THE WITNESS:
A No.
BY MS. MEHTA:
Q So you believe that Anthropic controls the guardrails that third-party applications -- let me use your language --
A No.
Q -- you believe that Anthropic controls whether -- well, let me finish the question before you just start saying "no" to everything. I know that's your first instinct, sir, but we got to --
MR. HOWELL: Let's save the commentary.
BY MS. MEHTA:
Q -- the question.
Anthropic's -- do you believe that Anthropic has control over whether its guardrails

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are removed by its clients?
MR. HOWELL: Objection. Form. Argumentative. Misstates prior testimony.
BY THE WITNESS:
A Okay. So let me try to be clear. I do not believe that Anthropic has no control over third-party applications.
So that statement where Dr. Bilmes acknowledges that Anthropic has no control over such applications even though they make Claude accessible to users, I do not agree with that statement. Because I do believe that Anthropic does have control in the sense that it chooses intentionally to work with third-party companies who utilize Claude in certain ways.
Is there control? Of course there's control. Claude can simply -- or Anthropic can simply refuse to work with companies with whom they do not trust, they do not have protection, they do not have agreements in place to prevent bad behavior, to prevent bad things from happening.
Now, your question is -- please repeat your question, and hopefully with that context I can answer it better.

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BY MS. MEHTA:
Q Have you done anything to analyze what agreements Anthropic has with third parties or its clients, to use your term, to evalu- -- to ensure that they're appropriately using guardrails?
MR. HOWELL: Objection. Form.
BY THE WITNESS:
A No, I'm not privy to Anthropic's business agreements with third-party companies.
I will just say that, as a point of practical common sense, no company is forced to work with any other company, and, generally speaking, when two companies work together, it is expected that they have established some sort of agreement through their collaborative process where the operation on one side and its boundaries and constraints are reasonably consistent with the goals of the other side.
BY MS. MEHTA:
Q I'm not asking about your general understanding. I'm asking whether you have any analysis or investigation into Anthropic's relationships with any third-party clients or applications that deliver Claude to users.
A And I've --

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MR. HOWELL: Objection --
BY THE WITNESS:
A -- already answered that question.
MR. HOWELL: Objection --
BY MS. MEHTA:
Q The answer is you have not done that analysis; isn't that right?
A The --
MR. HOWELL: Objection. Form. Asked and answered. Misstates prior testimony.
BY THE WITNESS:
A The answer, as I stated already, is that I believe that Anthropic, as a business, as any business, has a choice to enter into specific agreements with third parties and other entities with agreements that satisfy their own requirements and goals; whether they be safety, whether they be specific applications and user scenarios and guarantees and so on and so forth.
And so, therefore, I do not agree that Anthropic has no control over third-party applications.
BY MS. MEHTA:
Q Have you looked at any agreements between Anthropic and any of its clients or third-party

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applications that deliver Claude?
MR. HOWELL: Objection. Form. Vague.
BY THE WITNESS:
A I have not had access to that information, but if Anthropic wants to supply me with that data, I'd be more than happy to look it over.
BY MS. MEHTA:
Q Did you ask the lawyers to provide that information to you?
MR. HOWELL: Objection. Form.
BY THE WITNESS:
A As with some of the other things that we've discussed already today, I did not because of the simple fact that I have absolutely no expectation at all that Anthropic would share its business and potentially confidentially-bound agreements with me in this particular case.
BY MS. MEHTA:
Q Could you go to -- well, let's go to your first report and go to the Appendix B, which is the Documents Considered list.
MR. HOWELL: Sorry. Which exhibit?
MS. MEHTA: Exhibit 1, Appendix B, Documents Considered.