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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

**PLAINTIFFS' STATEMENT OF RECENT
DECISION**

Judge Eumi K. Lee
Magistrate Judge Susan van Keulen

1 Pursuant to Civil Local Rule 7-3(d)(2), Plaintiffs (“Publishers”) respectfully submit this
2 Statement of Recent Decision in connection with Publishers’ Motion for Partial Summary
3 Judgment (ECF No. 612) and Defendant Anthropic’s Motion for Summary Judgment (ECF No.
4 694), both of which are noticed for hearing and oral argument on October 21, 2026.

5 On September 30, 2026, the United States Court of Appeals for the Third Circuit issued an
6 opinion in *Thomson Reuters Enterprise Centre GMBH v. Ross Intelligence, Inc.*, No. 25-2153
7 (3d Cir.). The Third Circuit affirmed the district court’s ruling that the defendant’s copying of the
8 plaintiff’s copyrighted works to train the defendant’s AI program was not fair use. The Third
9 Circuit’s opinion is attached as Exhibit A. The opinion addresses the fair use issues discussed
10 throughout the Parties’ summary judgment briefing, including at pages 18–35 of Publishers’
11 motion (ECF No. 612), pages 8–22 of Anthropic’s motion and opposition (ECF No. 694), pages
12 11–27 of Publishers’ opposition and reply (ECF No. 759), and pages 3–15 of Anthropic’s reply
13 (ECF No. 800).

1 Dated: September 30, 2026

Respectfully submitted,

2 /s/ Nicholas C. Hailey

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