UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OPENAI, INC., COPYRIGHT INFRINGMENT LITIGATION This Document Relates to: THE NEW YORK TIMES COMPANY v. MICROSOFT CORPORATION, et al. No. 23-cv-11195	25-md-3143 (SHS)(OTW) **NOTICE OF ERRATA**

Please take notice of the following errata and correction to The Times's Response to OpenAI's Motion for Judgment on the Pleadings and Cross-Motion for Leave to Amend. *See* Dkt. 1590-1; 1591-1. In footnote 1, The Times indicated that "[o]n June 25, 2026, OpenAI indicated that it does not oppose The Times's proposed amendment to dismiss Count IV and VII." OpenAI has requested The Times clarify its position to the following: "Subject to OpenAI's review of The New York Times's proposed amended complaint, OpenAI Defendants will agree to consent to an amendment of the complaint limited to the dismissal of the contributory copyright infringement claim (Count IV) and trademark dilution claim (Count VII) against OpenAI Defendants, on the condition the New York Times stipulates that the dismissal of these claims is with prejudice." The Times has already agreed to stipulate that the dismissal of these claims is with prejudice.

Dated: June 25, 2026

/s/ Ian B. Crosby

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