UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OPENAI, INC. COPYRIGHT INFRINGEMENT LITIGATION This Document Relates To: News Cases	Case No. 1:25-md-3143-SHS-OTW

DECLARATION OF LUCKY VIDMAR IN SUPPORT OF MICROSOFT'S RESPONSE TO PLAINTIFFS' MOTION TO SEAL

I, Lucky Vidmar, hereby declare as follows:

1. I have personal knowledge of the facts stated in this declaration and, if called upon as a witness, I would and could competently testify thereto. I submit this declaration in support of Microsoft's Response to News Plaintiffs' Motion to Seal (ECF 764) filed in connection with News Plaintiffs' Letter Motion to compel Microsoft to produce click-through data for Bing Chat ("Letter Motion") (ECF 765).

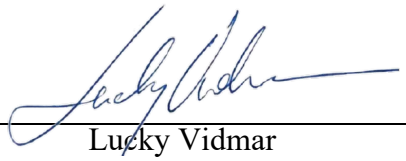
2. I am Associate General Counsel and I lead Microsoft's IP and AI litigation team. I have been at Microsoft since June 2020. In this role, I am responsible for the overall conduct of discovery and factual investigation for this case. I am also part of a team at Microsoft that provides legal guidance to the business on the development of our generative AI tools in connection with managing litigation and regulatory risk.

3. Exhibits 1-4 (ECF 765-1 through 765-4) to the Letter Motion contain nonpublic, confidential information about Microsoft's confidential work on its own products. Specifically, these exhibits are documents produced in litigation and deposition transcripts from the litigation that contain information that is confidential and highly sensitive to Microsoft and Microsoft only

shares the information revealed in these exhibits on a need-to-know basis whether internally or externally with proper non-disclosure protections in place. Similarly, the portions of the Letter Motion that Microsoft seeks to redact quote or describe these documents. Disclosure of such information to the public would be harmful to Microsoft because it reflects highly sensitive and confidential business strategy and decision-making that, if disclosed, could harm Microsoft's competitive advantage and its business relationships.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on November 22, 2025 in Washington, D.C.



Lucky Vidmar