No. 25-2153

In The United States Court of Appeals For the Third Circuit

THOMSON REUTERS ENTERPRISE CENTRE GMBH and WEST PUBLISHING CORPORATION,
Plaintiffs-Appellees,

v.

ROSS INTELLIGENCE INC.,
Defendant-Appellant.

On Appeal from an Order of the United States District Court for the District of Delaware
Civil Action No. 1:20-cv-613
(The Honorable Stephanos Bibas)

APPELLANT ROSS INTELLIGENCE INC.'S MOTION FOR UNOPPOSED EXTENSION OF TIME TO FILE EN BANC PETITION

Pursuant to Federal Rule of Appellate Procedure 26(b) and Third Circuit Local Rule 31.4, Appellant ROSS Intelligence Inc. respectfully moves for a twenty-one-day (21) extension of time to file its petition for rehearing en banc. Under the proposed extension, the petition would be due November 3, 2026.

In support of this motion, ROSS states the following:

1. ROSS's petition for rehearing en banc is due by October 13, 2026, as this Court issued its judgment on September 29, 2026. *See* Fed. R. App. P. 40(d)(1).

2. There is good cause to grant this extension. This Court's opinion is the first appellate case to address whether using copyrighted works to train an AI model is fair use. This case raises multiple complex issues of copyright law, which resulted in two conflicting summary judgment decisions and necessitated this interlocutory appeal.

3. Counsel will comply with this Court's Local Rule 35.4 and ensure that ROSS's petition meets "the rigorous requirements of FRAP 35 and 3d Cir. L.A.R. 35.1."

4. Undersigned counsel also has overlapping deadlines in other matters, including an opening brief in *Express Mobile, Inc. v. GoDaddy, LLC* (Fed. Cir. No. 26-1956), a reply brief due in *Wall v. Sargent* (7th Cir. No. 24-2154), and oral argument in *Shoals Technologies Group v. ITC* (Fed. Cir. No. 25-1439). Counsel also has ongoing responsibilities in *Cambronne, Inc. et al. v. Anthropic PBC.*, 5:25-cv-10897-PCP (N.D. Cal.); *Cognella, Inc. v. Anthropic PBC*, 5:26-cv-04056-PCP (N.D. Cal.); *Chicken*

Soup for the Soul, LLC v. Anthropic PBC, 5:26-cv-04218-PCP (N.D. Cal.), *Cruz et al v. Anthropic PBC*, 5:26 cv-04482-PCP (N.D. Cal.), *Kwon et al v. Anthropic PBC*, 5:26-cv-04649-PCP (N.D. Cal.), *Shakespeare et al v. Anthropic PBC et al*, 5:25-cv-05931-PCP (N.D. Cal.), and various other cases.

5. On October 5, 2026, ROSS's counsel gave notice to Thompson Reuters's counsel that it would seek this extension. On October 7, 2026, Thompson Reuters's counsel stated that it does not oppose ROSS's request for an extension.

For the foregoing reasons, ROSS respectfully requests that the Court extend the deadline for filing its petition for rehearing en banc to November 3, 2026.

Respectfully submitted,

/s/ Mark S. Davies
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Attorneys for Defendant-Appellant ROSS Intelligence, Inc.

Dated: October 7, 2026

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Third Circuit by using the appellate CM/ECF system on October 7, 2026.

I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: October 7, 2026

/s/ *Mark S. Davies*
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