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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 OAKLAND DIVISION

17 DARIUS H. JAMES and MARY PILON,
18 individually and on behalf of similarly
situated individuals,

19 Plaintiffs,

20 v.

21 CEREBRAS SYSTEMS INC., a Delaware
22 corporation,

23 Defendant.

Case No. 4:25-cv-09361-AMO

**CEREBRAS SYSTEMS INC.'S ANSWER
TO FIRST AMENDED COMPLAINT**

CLASS ACTION

DEMAND JURY TRIAL

Judge: Hon. Araceli Martínez-Olguín

Date Filed: October 30, 2025

Trial Date: Not yet set

1 Defendant Cerebras Systems Inc. (“Cerebras” or “Defendant”) by and through its
2 attorneys, hereby answers the First Amended Complaint filed by Plaintiffs Darius H. James and
3 Mary Pilon (“Plaintiffs”) and states as follows:

4 **OVERVIEW**

5 1. Cerebras is without knowledge or information sufficient to form a belief as to the
6 truth of the allegations of this paragraph regarding Plaintiffs and, on that basis, denies them. The
7 remaining allegations in this paragraph state a legal conclusion to which no response is required.

8 2. Cerebras admits that it was founded in 2015 and is an AI infrastructure company
9 that develops wafer-scale processors. Cerebras further admits that it has released the wafer scale
10 engines WSE-1, WSE-2, and WSE-3. Cerebras further admits that its customers include OpenAI,
11 Amazon Web Services, and others. Cerebras denies any remaining allegations of this paragraph.

12 3. Cerebras admits that it offers AI computing solutions for training and inference.
13 Cerebras further admits that it offers AI model services to its customers. Cerebras denies any
14 remaining allegations of this paragraph.

15 4. Cerebras is without knowledge or information sufficient to form a belief as to the
16 truth of the allegations of this paragraph regarding Plaintiffs or Class members and, on that basis,
17 denies them. Cerebras denies any remaining allegations of this paragraph.

18 5. Cerebras is without knowledge or information sufficient to form a belief as to the
19 truth of the allegations of this paragraph regarding Plaintiffs or Class members and, on that basis,
20 denies them.

21 6. Denied.

22 7. The allegations in this paragraph state a legal conclusion to which no response is
23 required. To the extent a response is required, Cerebras denies the allegations in this paragraph,
24 including that it has committed any acts of infringement.

25 8. Denied.

26 **JURISDICTION AND VENUE**

27 9. For purposes of this action, Cerebras does not dispute subject matter jurisdiction.
28

10. For purposes of this action, Cerebras does not dispute that jurisdiction and venue are proper in this district. Cerebras also does not dispute that it is headquartered in this District, that it created the Cerebras-GPT models and released them as open-sourced models, or that it created and released the SlimPajama dataset as an open-source dataset. Cerebras denies any remaining allegations of this paragraph.

11. For purposes of this action, Cerebras does not dispute that venue is proper in this district.

PARTIES

12. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph and, on that basis, denies them.

13. Cerebras states that no response is required because Charles Kaiser voluntarily dismissed his claims against Cerebras pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). ECF No. 73. To the extent a response is required, Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph and, on that basis, denies them.

14. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph and, on that basis, denies them.

15. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph and, on that basis, denies them.

16. Admitted.

17. Denied.

18. Denied.

FACTUAL ALLEGATIONS

19. Denied.

20. Denied.

21. Cerebras admits that pre-training is a process that teaches language to a model by showing the model a wide range of text, and, utilizing sophisticated statistical and computational analysis, having it try to predict the word that comes next in each of a huge range of sentences.

1 Cerebras admits that models are made up of large strings of numbers (called “parameters” or
2 “weights”) and that each weight roughly reflects the statistical relationship between different
3 words in different scenarios. Cerebras denies any remaining allegations of this paragraph.

4 22. Cerebras admits that pre-training is a process that teaches language to a model by
5 showing the model a wide range of text, and, utilizing sophisticated statistical and computational
6 analysis, having it try to predict the word that comes next in each of a huge range of sentences.
7 Cerebras admits that models are made up of large strings of numbers (called “parameters” or
8 “weights”) and that each weight roughly reflects the statistical relationship between different
9 words in different scenarios. Cerebras admits that as a model “learns” during the training process,
10 its weights update to reflect this improvement. Cerebras admits that one Cerebras-GPT model has
11 13 billion parameters. Cerebras denies any remaining allegations of this paragraph.

12 23. Cerebras admits that pre-training is a process that teaches language to a model by
13 showing the model a wide range of text, and, utilizing sophisticated statistical and computational
14 analysis, having it try to predict the word that comes next in each of a huge range of sentences.
15 Cerebras admits that models are made up of large strings of numbers (called “parameters” or
16 “weights”) and that each weight roughly reflects the statistical relationship between different
17 words in different scenarios. Cerebras denies any remaining allegations of this paragraph.

18 24. Denied.

19 25. Cerebras is without knowledge or information sufficient to form a belief as to the
20 truth of the allegations of this paragraph and, on that basis, denies them.

21 26. Cerebras admits that the quoted language appears in Leo Gao *et al.*, *The Pile: An*
22 *800GB Dataset of Diverse Text for Language Modeling* 3–4 (2020). Cerebras is without
23 knowledge or information sufficient to form a belief as to the truth of the remaining allegations of
24 this paragraph and, on that basis, denies them.

25 27. Cerebras is without knowledge or information sufficient to form a belief as to the
26 truth of the allegations of this paragraph and, on that basis, denies them.

27 28. Cerebras admits that it has used portions of The Pile in connection with the
28 training of the Cerebras-GPT models. Cerebras is without knowledge or information sufficient to

1 form a belief as to the truth of the allegations of this paragraph regarding Plaintiffs' or Class
2 members' copyrighted works, and on that basis, denies them. Cerebras denies the remaining
3 allegations in this paragraph.

4 29. Cerebras admits that the quoted language appears in Dey *et al.*, *Cerebras-GPT:*
5 *Open Compute-Optimal Language Models Trained on the Cerebras Wafer-Scale Cluster 2–3*
6 (2023). Cerebras denies any remaining allegations of this paragraph.

7 30. Cerebras admits that the quoted language appears in its April 2026 S-1
8 Registration Statement to the Securities and Exchange Commission. Cerebras denies any
9 remaining allegations of this paragraph.

10 31. Cerebras admits that the quoted language appears in the blog post it published on
11 May 28, 2023 about the Cerebras-GPT models. Cerebras denies any remaining allegations of this
12 paragraph.

13 32. Cerebras is without knowledge or information sufficient to form a belief as to the
14 truth of the allegations of this paragraph and, on that basis, denies them.

15 33. Cerebras admits that it created and released the SlimPajama dataset as an open-
16 source dataset for LLM training. Cerebras denies any remaining allegations of this paragraph.

17 34. Cerebras admits that the quoted language appears in the blog post it published on
18 June 9, 2023 about the SlimPajama dataset. Cerebras admits that it released the SlimPajama
19 dataset on Hugging Face. Cerebras denies any remaining allegations of this paragraph.

20 35. Cerebras admits that the quoted language appears in the blog post it published on
21 June 9, 2023 about the SlimPajama dataset. Cerebras denies any remaining allegations of this
22 paragraph.

23 36. Cerebras is without knowledge or information sufficient to form a belief as to the
24 truth of the allegations of this paragraph and, on that basis, denies them.

25 37. To the extent the allegations in this paragraph purport to reference a publicly
26 available research paper, the full text of that paper speaks for itself. To the extent the allegations
27 in this paragraph purport to summarize or are inconsistent with it, Cerebras denies those
28 allegations. Cerebras denies any remaining allegations of this paragraph.

1 38. To the extent the allegations in this paragraph purport to reference a publicly
2 available research paper, the full text of that paper speaks for itself. To the extent the allegations
3 in this paragraph purport to summarize or are inconsistent with it, Cerebras denies those
4 allegations. Cerebras denies any remaining allegations of this paragraph.

5 39. Cerebras is without knowledge or information sufficient to form a belief as to the
6 truth of the allegations of this paragraph regarding Plaintiffs' or Class members' copyrighted
7 works and, on that basis, denies them. Cerebras admits that it has used portions of the RedPajama
8 dataset in connection with the creation of the SlimPajama dataset. Cerebras denies the remaining
9 allegations in this paragraph.

10 40. Cerebras is without knowledge or information sufficient to form a belief as to the
11 truth of the allegations of this paragraph and, on that basis, denies them.

12 41. Denied.

13 42. Denied.

14 43. Denied.

15 44. Cerebras is without knowledge or information sufficient to form a belief as to the
16 truth of the allegations of this paragraph regarding third-party shadow libraries and websites and,
17 on that basis, denies them. Cerebras denies the remaining allegations in this paragraph.

18 45. Cerebras is without knowledge or information sufficient to form a belief as to the
19 truth of the allegations of this paragraph and, on that basis, denies them.

20 46. Cerebras is without knowledge or information sufficient to form a belief as to the
21 truth of the allegations of this paragraph and, on that basis, denies them.

22 47. Cerebras admits that it offers AI computing solutions for training and inference.
23 Cerebras further admits that it offers AI model services to its customers. Cerebras denies any
24 remaining allegations of this paragraph.

25 48. Denied.

26 49. Cerebras admits that it announced a multi-year agreement with OpenAI,
27 announced that the agreement was valued at more than \$20 billion in January 2026, and
28 announced that it entered into a multi-year partnership with Amazon Web Services in March

2026. Cerebras also admits that it announced collaborations with Meta and Mayo Clinic. Cerebras denies any remaining allegations of this paragraph.

50. Denied.

51. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph regarding Plaintiffs and Class members and, on that basis, denies them. Cerebras denies the remaining allegations of this paragraph.

CLASS ALLEGATIONS

52. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph about Plaintiffs and, on that basis, denies them. The remaining allegations in this paragraph state a legal conclusion to which no response is required.

53. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph about Plaintiffs or Class members and, on that basis, denies them. Cerebras denies any remaining allegations of this paragraph.

54. Denied.

55. Denied.

56. Denied.

57. Denied.

58. Denied.

FIRST CAUSE OF ACTION

Direct Copyright Infringement,

(17 U.S.C. § 501 *et seq.*)

(On Behalf of Plaintiffs and the Class)

59. Cerebras repeats and incorporates by reference its responses to the allegations contained in each preceding paragraph as if fully set forth herein.

60. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph and, on that basis, denies them.

61. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph regarding Plaintiffs' or Class members' copyrighted works and, on that basis, denies them. Cerebras admits that it has used portions of the Pile in

1 connection with the training of Cerebras-GPT models. Cerebras denies the remaining allegations
2 in this paragraph.

3 62. Cerebras is without knowledge or information sufficient to form a belief as to the
4 truth of the allegations of this paragraph regarding whether the RedPajama dataset contained
5 Books3, Plaintiffs' or Class members' copyrighted works, and the number of downloads of the
6 SlimPajama dataset and, on that basis, denies them. Cerebras admits that it has used portions of
7 the RedPajama dataset in connection with the creation of the SlimPajama dataset, including
8 removing short, low quality documents from and performing deduplication on RedPajama, and
9 that it released the SlimPajama dataset on Hugging Face. Cerebras denies the remaining
10 allegations in this paragraph.

11 63. Cerebras is without knowledge or information sufficient to form a belief as to the
12 truth of the allegations of this paragraph regarding Plaintiffs or Class members and, on that basis,
13 denies them. The remaining allegations in this paragraph state a legal conclusion to which no
14 response is required.

15 64. Denied.

16 65. Denied.

17 66. Denied.

18 67. The allegations in this paragraph state a legal conclusion to which no response is
19 required. To the extent a response is required, Cerebras denies that it has committed any acts of
20 infringement. Cerebras denies the remaining allegations in this paragraph, including that Plaintiffs
21 have been injured and are entitled to damages and/or relief.

22 **SECOND CAUSE OF ACTION**
23 **Contributory Copyright Infringement,**
24 **(17 U.S.C. § 501 *et seq.*)**
(On Behalf of Plaintiffs and the Class)

25 68. Cerebras repeats and incorporates by reference its responses to the allegations
26 contained in each preceding paragraph as if fully set forth herein.

69. Cerebras is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph regarding the actions of third parties and, on that basis, denies them. Cerebras denies the remaining allegations in this paragraph.

70. Denied.

71. Denied.

72. Denied.

73. To the extent the allegations in this paragraph purport to reference a publicly available paper, the full text of that paper speaks for itself. To the extent the allegations in this paragraph purport to summarize or are inconsistent with it, Cerebras denies those allegations. Cerebras admits that, as of the filing of the First Amended Complaint, the paper contained a hyperlink to a third-party website hosting the SlimPajama dataset. Cerebras denies any remaining allegations of this paragraph.

74. Denied.

75. Denied.

PRAYER FOR RELIEF

These paragraphs set forth the statement of relief requests by Plaintiffs to which no response is required. Cerebras denies that Plaintiffs are entitled to any of the requested relief.

Cerebras denies each and every allegation in Plaintiffs' First Amended Complaint not specifically admitted or otherwise responded to above. Cerebras reiterates and specifically denies that it has infringed or is liable for infringement of any valid and enforceable claims of Plaintiffs, if any. Cerebras further specifically denies that Plaintiffs are entitled to any relief whatsoever against Cerebras as a result of any act of Cerebras or any person or entity acting on behalf of Cerebras.

JURY TRIAL DEMAND

With respect to the jury demand contained in Plaintiffs' First Amended Complaint, Cerebras states that no response is required. To the extent a response is deemed required, Cerebras demands a jury trial on all issues so triable.

AFFIRMATIVE DEFENSES

In further answer to the allegations made by Plaintiffs in the First Amended Complaint, Cerebras asserts the following affirmative defenses. Cerebras does not concede that it has the burden of proof on the defenses listed below.

FIRST AFFIRMATIVE DEFENSE

To the extent there is copying of copyrightable expression, that copying constitutes fair use.

SECOND AFFIRMATIVE DEFENSE

Plaintiffs' claims fail in whole or in part because the complained-of uses were validly authorized by express or implied license.

THIRD AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred in whole or in part by the doctrines of waiver, abandonment, and/or forfeiture.

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrine of laches.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrine of estoppel.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs' remedies are barred at least in part by the applicable statute of limitations.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred in whole or in part by the doctrine of unclean hands.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiffs' claims fail in whole or in part because Cerebras's conduct was innocent, not willful.

NINTH AFFIRMATIVE DEFENSE

Plaintiffs are barred from recovery of damages because of and to the extent of their failure to mitigate their alleged damages (to which, in any event, they are not entitled).

TENTH AFFIRMATIVE DEFENSE

Some or all of the material in which Plaintiffs claim copyright is in the public domain.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims of copyright infringement are barred or limited by the doctrine of merger.

TWELFTH AFFIRMATIVE DEFENSE

Plaintiffs' claims of copyright infringement are barred or limited by the idea/expression dichotomy.

THIRTEENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims of copyright infringement are barred or limited because the material in which they claim copyright constitutes "scenes a faire."

FOURTEENTH AFFIRMATIVE DEFENSE

To the extent there is copying of copyrightable expression, that copying is de minimis.

FIFTEENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims fail in whole or in part because Plaintiffs have not suffered and are not likely to suffer any injury or damages as a result of the conduct alleged of Cerebras in the First Amended Complaint.

SIXTEENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred in whole or in part by the doctrine of copyright misuse.

SEVENTEENTH AFFIRMATIVE DEFENSE

Plaintiffs' contributory copyright infringement claim is barred, in whole or in part, because the models and dataset accused of infringement, and Cerebras's related products and services, are capable of substantial non-infringing uses.

REQUEST FOR RELIEF

WHEREFORE, Cerebras prays as follows:

1. That Plaintiffs take nothing by this action;
2. That the Court enter judgment in Cerebras's favor and against Plaintiffs;
3. That the Court deny certification of any class;
4. That the Court dismiss Plaintiffs' First Amended Complaint with prejudice;

- 1 5. That the Court award costs and fees to Cerebras; and
- 2 6. For such further relief as the Court may deem just and proper.
- 3

4 Dated: July 9, 2026

KEKER, VAN NEST & PETERS LLP

6 By: /s/ Robert A. Van Nest

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