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13  
14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO**

17 CARREYROU ET AL.,

18 Plaintiffs,

19 v.

20 ANTHROPIC PBC ET AL.,

21 Defendants.

Case No. 3:25-cv-10897

**DEFENDANT META PLATFORMS, INC.’S  
ANSWER TO THE COMPLAINT**

Action Filed: December 22, 2025

Judge: Currently not assigned following District  
Judge Trina L. Thompson’s Order of Recusal (ECF  
101)



1 Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of the allegations  
2 pertaining to the other Defendants.

3 5. Meta admits that it obtained publicly available data to research, develop, and train its  
4 Llama models. Except as expressly admitted, Meta denies the allegations in Paragraph 5 pertaining to  
5 Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of the allegations  
6 pertaining to the other Defendants.

7 6. Meta admits that it made copies of publicly available data to research, develop, and train  
8 its Llama models. To the extent Paragraph 6 pertains generally to LLMs and not any particular Meta  
9 Llama models, Meta lacks knowledge and information sufficient to form a belief as to the truth of those  
10 allegations. Meta further lacks knowledge and information sufficient to form a belief as to the truth of  
11 the remaining allegations pertaining to the other Defendants. Except as expressly admitted, Meta denies  
12 the allegations in Paragraph 6 pertaining to Meta.

13 7. The allegations in this paragraph state a legal conclusion to which no response is  
14 required. To the extent a response is required, Meta denies the allegations in Paragraph 7 pertaining to  
15 Meta. Meta lacks knowledge and information sufficient to form a belief as to the remaining allegations  
16 pertaining to the other Defendants.

17 8. Meta admits that it has created a series of LLMs under the name Llama. Meta admits it  
18 obtained publicly available data from sources such as LibGen, portions of which were utilized to  
19 research, develop, and train its Llama models. Meta admits that this data contains books. Meta lacks  
20 knowledge and information sufficient to form a belief as to the truth of the remaining allegations  
21 pertaining to the other Defendants. Except as expressly admitted, Meta denies the allegations in  
22 Paragraph 8 pertaining to Meta.

23 9. Meta admits that Plaintiffs purport to be authors of books and that they purport to own  
24 the copyrights in the books they published. Meta further admits that it obtained publicly available data  
25 and that Meta used portions of this data to research, develop, and train Meta's Llama models, and that  
26 Meta did not obtain a license or pay for the use of works Plaintiffs claim in this action to have authored.  
27 Meta lacks knowledge and information sufficient to form a belief as to the truth of the allegations  
28

1 pertaining to the other Defendants. Except as expressly admitted, Meta denies the allegations in  
2 Paragraph 9 pertaining to Meta.

3 10. The allegations in this paragraph contain legal conclusions to which no response is  
4 required. To the extent a response is required, Meta denies the allegations in Paragraph 10 pertaining to  
5 Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of the allegations  
6 pertaining to the other Defendants.

7 11. The allegations in this paragraph contain recitations of Plaintiffs' damages claims to  
8 which no response is required. To the extent a response is required, Meta admits that Plaintiffs seek  
9 damages, permanent injunctive relief, and additional remedies, but denies that Plaintiffs are entitled to  
10 any of these remedies. Except as expressly admitted, Meta denies the allegations in Paragraph 11  
11 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of  
12 the allegations pertaining to the other Defendants.

13 12. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
14 allegations related to Plaintiffs' intentions and motivations. Meta otherwise denies the allegations in  
15 Paragraph 12 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as  
16 to the truth of the allegations pertaining to the other Defendants.

17 13. The allegations in this paragraph contain recitations of Plaintiffs' stated litigation strategy  
18 and legal conclusions to which no response is required. To the extent a response is required, Meta lacks  
19 knowledge and information sufficient to form a belief as to the truth of the allegations related to  
20 Plaintiffs' intentions and motivations. To the extent a response is required, Meta denies the allegations  
21 in Paragraph 13 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief  
22 as to the truth of the allegations pertaining to the other Defendants.

23 14. The allegations in this paragraph contain recitations of Plaintiffs' stated litigation strategy  
24 and legal conclusions to which no response is required. To the extent the allegations in this paragraph  
25 purport to summarize or characterize court filings in the matter *Bartz v. Anthropic*, No. 3:24-cv-05417-  
26 WHA, the documents speak for themselves.

27 15. The allegations in this paragraph contain recitations of Plaintiffs' stated litigation strategy  
28 and legal conclusions to which no response is required. To the extent a response is required, Meta denies

1 the allegations in Paragraph 15 pertaining to Meta. Meta lacks knowledge and information sufficient to  
2 form a belief as to the truth of the allegations pertaining to the other Defendants.

3 16. The allegations in this paragraph contain recitations of Plaintiffs’ stated litigation strategy  
4 and legal conclusions to which no response is required. To the extent the allegations set forth in this  
5 paragraph purport to summarize or characterize the case cited in Footnote 1, the document speaks for  
6 itself.

7 17. The allegations in this paragraph contain recitations of Plaintiffs’ stated litigation strategy  
8 and legal conclusions to which no response is required. To the extent a response is required, Meta denies  
9 the allegations in Paragraph 17 pertaining to Meta. Meta lacks knowledge and information sufficient to  
10 form a belief as to the truth of the allegations pertaining to the other Defendants

11 **II. Parties**

12 **A. Plaintiffs**

13 18. Meta admits that Plaintiff John Carreyrou purports to be the author of *Bad Blood: Secrets*  
14 *and Lies in a Silicon Valley Startup*. Meta admits that it obtained publicly available data from sources  
15 such as LibGen and Z-Library and that Meta used portions of this data to research, develop, and train its  
16 Llama models. Except as expressly admitted, Meta denies the allegations in Paragraph 18 pertaining to  
17 Meta, including any implication of the validity of Mr. Carreyrou’s claimed copyrights. Meta lacks  
18 knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18  
19 pertaining to the other Defendants.

20 19. Meta admits that Plaintiff Lisa Barretta purports to be the author of *The Street-Smart*  
21 *Psychic’s Guide to Getting a Good Reading*. Meta admits that it obtained publicly available data from  
22 sources such as LibGen and Z-Library and that Meta used portions of this data to research, develop, and  
23 train its Llama models. Except as expressly admitted, Meta denies the allegations in Paragraph 19  
24 pertaining to Meta, including any implication of the validity of Ms. Barretta’s claimed copyrights. Meta  
25 lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph  
26 19 pertaining to the other Defendants.

27 20. Meta admits that Plaintiff Philip Shishkin purports to be the author of *Restless Valley:*  
28 *Revolution, Murder and Intrigue in the Heart of Central Asia*. Meta admits that it obtained publicly

1 available data from sources such as LibGen and Z-Library and that Meta used portions of this data to  
2 research, develop, and train its Llama models. Except as expressly admitted, Meta denies the allegations  
3 in Paragraph 20 pertaining to Meta, including any implication of the validity of Mr. Shishkin's claimed  
4 copyrights. Meta lacks knowledge or information sufficient to form a belief as to the truth of the  
5 allegations in Paragraph 20 pertaining to the other Defendants.

6 21. Meta admits that Plaintiff Jane Adams purports to be the author of *Boundary Issues:  
7 Using Boundary Intelligence to Get the Intimacy You Want and the Independence You Need in Life,  
8 Love, and Work* and *How to Sell What You Write*. Meta admits that it obtained publicly available data  
9 from sources such as LibGen and Z-Library, and that Meta used portions of this data to research,  
10 develop, and train its Llama models. Except as expressly admitted, Meta denies the allegations in  
11 Paragraph 21 pertaining to Meta, including any implication of the validity of Ms. Adams' claimed  
12 copyrights. Meta lacks knowledge or information sufficient to form a belief as to the truth of the  
13 allegations in Paragraph 21 pertaining to the other Defendants.

14 22. Meta admits that Plaintiff Matthew Sacks purports to be the author of *Pro Website  
15 Development and Operations*. Meta admits that it obtained publicly available data from sources such as  
16 LibGen and Z-Library and that Meta used portions of this data to research, develop, and train its Llama  
17 models. Except as expressly admitted, Meta denies the allegations in Paragraph 22 pertaining to Meta,  
18 including any implication of the validity of Mr. Sacks' claimed copyrights. Meta lacks knowledge or  
19 information sufficient to form a belief as to the truth of the allegations in Paragraph 22 pertaining to the  
20 other Defendants.

21 23. Meta admits that Plaintiff Michael Kochin purports to be the author of *Five Chapters on  
22 Rhetoric: Character, Action, Things, Nothing & Art*. Meta admits that it obtained publicly available data  
23 from sources such as LibGen and Z-Library and that Meta used portions of this data to research, develop,  
24 and train its Llama models. Except as expressly admitted, Meta denies the allegations in Paragraph 23  
25 pertaining to Meta, including any implication of the validity of Mr. Kochin's claimed copyrights. Meta  
26 lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph  
27 23 pertaining to the other Defendants.

1 24. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
2 allegations set forth in Paragraph 24 or as to the content of Exhibit A.

3 **B. Defendants**

4 25. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
5 allegations set forth in Paragraph 25.

6 26. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
7 allegations set forth in Paragraph 26.

8 27. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
9 allegations set forth in Paragraph 27.

10 28. Meta admits that it is a Delaware corporation with its principal place of business in Menlo  
11 Park, California. Meta further admits that it has created a series of LLMs under the name Llama. Meta  
12 further admits that it has incorporated technology based on Llama into its other products including  
13 Facebook, Instagram, and Meta smart glasses. Meta further admits that it obtained publicly available  
14 data from LibGen and that portions of LibGen were used to research, develop, and train its Llama  
15 models. Except as expressly admitted, Meta denies the allegations in Paragraph 28.

16 29. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
17 allegations set forth in Paragraph 29.

18 30. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
19 allegations set forth in Paragraph 30.

20 **III. JURISDICTION AND VENUE**

21 31. The allegations in this Paragraph state a legal conclusion to which no response is  
22 required. To the extent a response is required, Meta admits that this action purports to assert claims  
23 based upon the copyright laws of the United States, 17 U.S.C. § 101 et seq., and that the Court has  
24 original subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a), provided that  
25 standing and other requirements are met. Except as expressly admitted, Meta denies the allegations set  
26 forth in Paragraph 31.

27 32. The allegations in this paragraph state a legal conclusion to which no response is  
28 required. To the extent a response is required, Meta admits that this Court has personal jurisdiction over

1 it with respect to the instant action. Except as expressly admitted, Meta denies the allegations in  
2 paragraph 32 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as  
3 to the truth of the allegations set forth in Paragraph 32 pertaining to the other Defendants.

4 33. The allegations in this paragraph state a legal conclusion to which no response is  
5 required. To the extent a response is required, Meta admits that venue is proper in this judicial district.  
6 Except as expressly admitted, Meta denies the allegations in paragraph 33 pertaining to Meta. Meta  
7 lacks knowledge and information sufficient to form a belief as to the truth of the allegations set forth in  
8 Paragraph 33 pertaining to the other Defendants.

9 **IV. FACTUAL ALLEGATIONS**

10 **A. The Generative AI Arms Race**

11 34. As Paragraph 34 pertains generally to generative AI and not any particular generative AI  
12 technologies of Meta, Meta lacks knowledge and information sufficient to form a belief as to the truth  
13 of the allegations set forth in Paragraph 34.

14 35. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
15 allegations set forth in Paragraph 35. To the extent the allegations set forth in this paragraph purport to  
16 summarize or characterize the contents of the article cited in Footnote 2, the article speaks for itself.

17 36. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
18 allegations set forth in Paragraph 36. To the extent the allegations set forth in this paragraph purport to  
19 summarize or characterize the contents of the articles cited in Footnotes 3 and 4, the articles speak for  
20 themselves.

21 37. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
22 allegations set forth in Paragraph 37.

23 38. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
24 allegations set forth in Paragraph 38. To the extent the allegations set forth in this paragraph purport to  
25 summarize or characterize the contents of the articles cited in Footnote 5, the articles speak for  
26 themselves.

27 39. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
28 allegations set forth in Paragraph 39.

1 40. Meta admits that it invested billions of dollars to develop its generative AI offerings and  
2 that, beginning with Llama 2, it has incorporated technology based on Llama into its other products  
3 including Facebook, WhatsApp, Instagram, and Meta smart glasses. Except as expressly admitted, Meta  
4 denies the allegations in Paragraph 40.

5 41. As Paragraph 41 pertains generally to the generative AI industry and not any particular  
6 generative AI technologies of Meta, Meta lacks knowledge and information sufficient to form a belief as  
7 to the truth of the remaining allegations in Paragraph 41. To the extent the allegations set forth in this  
8 paragraph purport to summarize or characterize the contents of the article cited in Footnote 6, the article  
9 speaks for itself.

10 42. Meta admits that it obtained publicly available data from sources such as Books3, LibGen,  
11 Z-Library, and Sci-Hub and that Meta used portions of this data to research, develop, and train its Llama  
12 models. Meta further admits that it did not obtain a license or pay for the use of books Plaintiffs claim in  
13 this action to have authored. Meta lacks knowledge and information sufficient to form a belief as to the  
14 truth of the allegations in Paragraph 42 pertaining to the other Defendants. Except as expressly admitted,  
15 Meta denies the allegations in Paragraph 42.

16 43. Meta admits that it obtained publicly available data from sources such as Books3, LibGen,  
17 and Z-Library and that Meta used portions of this data to research, develop, and train its Llama models.  
18 Meta lacks knowledge and information sufficient to form a belief as to the truth of the allegations in  
19 Paragraph 43 pertaining to the other Defendants. To the extent the allegations set forth in this paragraph  
20 purport to summarize or characterize the contents of the articles cited in Footnote 7, the articles speak for  
21 themselves. Except as expressly admitted, Meta denies the allegations in Paragraph 43.

22 44. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
23 allegations in Paragraph 44.

24 45. Meta denies the allegations in Paragraph 45 pertaining to Meta. Meta lacks knowledge  
25 and information sufficient to form a belief as to the truth of the allegations in Paragraph 45 pertaining to  
26 the other Defendants. Except as expressly admitted, Meta denies the allegations in Paragraph 45.

1 46. Meta denies the allegations in Paragraph 46 pertaining to Meta. Meta lacks knowledge  
2 and information sufficient to form a belief as to the truth of the allegations in Paragraph 46 pertaining to  
3 the other Defendants.

4 47. The allegations in this paragraph contain a description of “torrenting” and legal  
5 conclusions to which no response is required. To the extent a response is required, Meta denies the  
6 allegations in Paragraph 47 pertaining to Meta. Meta lacks knowledge and information sufficient to form  
7 a belief as to the truth of the allegations pertaining to the other Defendants.

8 48. Meta denies the allegations in Paragraph 48 pertaining to Meta. Meta lacks knowledge  
9 and information sufficient to form a belief as to the truth of the allegations in Paragraph 48 pertaining to  
10 the other Defendants.

11 **B. Anthropic Trained Its LLM Models On Copyrighted Works That Were Pirated.**

12 49. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
13 allegations in Paragraph 49.

14 50. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
15 allegations in Paragraph 50. To the extent the allegations set forth in this paragraph purport to summarize  
16 or characterize the contents of the article cited in Footnote 8, the article speaks for itself.

17 51. Meta lacks knowledge or information sufficient to form a belief as to the allegations in  
18 Paragraph 51. To the extent the allegations set forth in this paragraph purport to summarize or  
19 characterize the contents of the paper cited in Footnote 9, the document speaks for itself.

20 52. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
21 allegations in Paragraph 52. To the extent the allegations set forth in this paragraph purport to summarize  
22 or characterize the contents of the documents cited in Footnotes 10 and 11, the documents speak for  
23 themselves.

24 53. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
25 allegations in Paragraph 53. To the extent the allegations set forth in this paragraph purport to summarize  
26 or characterize the contents of the articles cited in Footnote 12, the articles speak for themselves.

27 **C. Anthropic’s Infringement Was Willful.**

1 54. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
2 allegations in Paragraph 54.

3 55. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
4 allegations in Paragraph 55. To the extent the allegations set forth in this paragraph purport to summarize  
5 or characterize the contents of the paper cited in Footnotes 13 and 14, the paper speaks for itself.

6 56. Meta lacks knowledge and information sufficient to form a belief as to the allegations in  
7 Paragraph 56. To the extent the allegations set forth in this paragraph purport to summarize or  
8 characterize the contents of the documents cited in Footnote 15, the documents speak for themselves.

9 57. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
10 allegations in Paragraph 57.

11 58. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
12 allegations in Paragraph 58. To the extent the allegations set forth in this paragraph purport to summarize  
13 or characterize the contents of the document cited in Footnotes 16 and 17, the document speaks for itself.

14 59. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
15 allegations in Paragraph 59.

16 **D. OpenAI Trained Its LLM Models on Copyrighted Works that Were Pirated.**

17 60. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
18 allegations in Paragraph 60.

19 61. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
20 allegations in Paragraph 61. To the extent the allegations set forth in this paragraph purport to summarize  
21 or characterize the contents of the documents cited in Footnotes 18 and 19, the documents speak for  
22 themselves.

23 62. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
24 allegations in Paragraph 62. To the extent the allegations set forth in this paragraph purport to summarize  
25 or characterize the contents of the article cited in Footnote 20, the article speaks for itself.

26 63. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
27 allegations in Paragraph 63.

28

1           64. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
2 allegations in Paragraph 64.

3           **E. OpenAI’s Infringement Was Willful.**

4           65. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
5 allegations in Paragraph 65.

6           66. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
7 allegations in Paragraph 66. To the extent the allegations set forth in this paragraph purport to summarize  
8 or characterize the contents of the document cited in Footnote 21, the document speaks for itself.

9           67. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
10 allegations in Paragraph 67. To the extent the allegations set forth in this paragraph purport to summarize  
11 or characterize the contents of the documents cited in Footnotes 22 and 23, the documents speak for  
12 themselves.

13           68. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
14 allegations in Paragraph 68.

15           69. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
16 allegations in Paragraph 69. To the extent the allegations set forth in this paragraph purport to summarize  
17 or characterize the contents of the article cited in Footnote 24, the article speaks for itself.

18           70. Meta admits that publicly available information indicates that Harper-Collins entered into  
19 a license agreement regarding the use of certain books for AI-training data. Meta lacks knowledge and  
20 information sufficient to form a belief as to the truth of the allegations in Paragraph 70.

21           71. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
22 allegations in Paragraph 71. To the extent the allegations set forth in this paragraph purport to summarize  
23 or characterize the contents of the articles cited in Footnote 25, the articles speak for themselves.

24           **F. Google Trained Its LLM Models on Copyrighted Works that Were Pirated.**

25           72. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
26 allegations in Paragraph 72.

27           73. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
28 allegations in Paragraph 73. To the extent the allegations set forth in this paragraph purport to summarize

1 or characterize the contents of the documents cited in Footnotes 26 and 27, the documents speak for  
2 themselves.

3 74. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
4 allegations in Paragraph 74. To the extent the allegations set forth in this paragraph purport to summarize  
5 or characterize the contents of the article cited in Footnote 28, the article speaks for itself.

6 75. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
7 allegations in Paragraph 75.

8 76. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
9 allegations in Paragraph 76.

10 **G. Google's Infringement Was Willful.**

11 77. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
12 allegations in Paragraph 77.

13 78. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
14 allegations in Paragraph 78.

15 79. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
16 allegations in Paragraph 79. To the extent the allegations set forth in this paragraph purport to summarize  
17 or characterize the contents of the document cited in Footnote 29, the document speaks for itself.

18 80. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
19 allegations in Paragraph 80. To the extent the allegations set forth in this paragraph purport to summarize  
20 or characterize the contents of the article cited in Footnote 30, the article speaks for itself.

21 **H. Meta Trained Its LLM Models on Copyrighted Works that Were Pirated.**

22 81. Meta admits that it obtained data from publicly available sources such as Books3, LibGen,  
23 Z-Library, and Common Crawl and that Meta used portions of this data to research, develop, and train  
24 its Llama models. Except as expressly admitted, Meta denies the allegations in Paragraph 81.

25 82. Meta admits that the cited paper discusses the Llama 1 training dataset, noting the size of  
26 the training data and the origins of some of the training data. Meta refers to the cited paper, which speaks  
27 for itself. Except as expressly admitted, Meta denies the allegations in Paragraph 82. To the extent the  
28

1 allegations set forth in this paragraph purport to summarize or characterize the contents of the article  
2 cited in Footnote 31, the article speaks for itself.

3 83. Meta admits that the paper “LLaMA: Open and Efficient Foundation Language Models”  
4 (**“Llama 1 Paper”**) discusses data used to train Llama 1, and notes the size of the training data and the  
5 origins of some of the training data. Meta refers to the Llama 1 Paper, which speaks for itself. Meta  
6 further admits that it obtained publicly available data from sources such as Books3, LibGen, Z-Library,  
7 Sci-Hub, and Anna’s Archive; that its Llama models have been trained using training data; and that Meta  
8 used books data, among many other materials, to research, develop, and train its Llama models. Meta  
9 further admits that it used BitTorrent to download certain portions of these publicly available datasets.  
10 Except as expressly admitted, Meta denies the allegations in Paragraph 83. To the extent the allegations  
11 set forth in this paragraph purport to summarize or characterize the contents of the documents cited in  
12 Footnotes 32 through 34, the documents speak for themselves.

13 84. Meta admits that its CEO made public statements concerning Llama and Meta’s  
14 generative AI tools. Meta admits that it obtained publicly available data that included books data and that  
15 Meta used portions of this data to research, develop, and train its Llama models. Except as expressly  
16 admitted, Meta denies the allegations in Paragraph 84. To the extent the allegations set forth in this  
17 paragraph purport to summarize or characterize the contents of the article cited in Footnote 35, the article  
18 speaks for itself.

19 85. Meta admits that certain of its employees commented on the use of books data to train its  
20 Llama models. Meta further admits that its Llama models have been trained using training data, including  
21 books data, among many other materials. Except as expressly admitted, Meta denies the allegations in  
22 Paragraph 85. To the extent the allegations set forth in this paragraph purport to summarize or  
23 characterize the contents of the document cited in Footnote 36, the document speaks for itself.

24 **I. Meta’s Infringement Was Willful.**

25 86. The allegations in Paragraph 86 contain legal conclusions to which no response is  
26 required. To the extent a response is required, Meta denies the allegations in Paragraph 86.

27 87. Meta admits that certain of its employees commented regarding the use of data sourced  
28 from certain websites to train its Llama models. Meta also admits that other lawsuits have been brought

1 by authors against developers of LLMs, including Meta, alleging copyright infringement. Except as  
2 expressly admitted, Meta denies the allegations in paragraph 87. To the extent the allegations set forth in  
3 this paragraph purport to summarize or characterize the contents of the documents cited in Footnotes 37  
4 and 38, the documents speak for themselves.

5 88. Meta admits that it contacted certain publishers, internally discussed licensing certain  
6 types of data to train its Llama models, and ultimately decided to train the Llama models using publicly  
7 available data. Except as expressly admitted, Meta denies the allegations in Paragraph 88. To the extent  
8 the allegations set forth in this paragraph purport to summarize or characterize the contents of the  
9 documents cited in Footnotes 39 and 40, the documents speak for themselves.

10 89. Meta admits that, beginning with Llama 2, it has incorporated technology based on Llama  
11 into its other products including Facebook, WhatsApp, Instagram, and Meta smart glasses. Meta also  
12 admits that Meta released Llama open source. Meta further admits that it did not obtain a license or pay  
13 for the use of works Plaintiffs claim in this action to have authored. Except as expressly admitted, Meta  
14 denies the allegations in Paragraph 89.

15 **J. xAI Trained Its LLM Models on Copyrighted Works that Were Pirated.**

16 90. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
17 allegations in Paragraph 90.

18 91. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
19 allegations in Paragraph 91. To the extent the allegations set forth in this paragraph purport to summarize  
20 or characterize the contents of the document cited in Footnote 41, the document speaks for itself.

21 92. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
22 allegations in Paragraph 92.

23 93. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
24 allegations in Paragraph 93. To the extent the allegations set forth in this paragraph purport to summarize  
25 or characterize the contents of the document cited in Footnote 42, the document speaks for itself.

26 94. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
27 allegations in Paragraph 94. To the extent the allegations set forth in this paragraph purport to summarize  
28 or characterize the contents of the document cited in Footnote 43, the document speaks for itself.

1 95. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
2 allegations in Paragraph 95. To the extent the allegations set forth in this paragraph purport to summarize  
3 or characterize the contents of the document cited in Footnote 44, the document speaks for itself.

4 96. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
5 allegations in Paragraph 96. To the extent the allegations set forth in this paragraph purport to summarize  
6 or characterize the contents of the document cited in Footnote 45, the document speaks for itself.

7 97. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
8 allegations in Paragraph 97.

9 98. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
10 allegations in Paragraph 98.

11 99. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
12 allegations in Paragraph 99.

13 **K. xAI's Infringement Was Willful.**

14 100. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
15 allegations in Paragraph 100. To the extent the allegations set forth in this paragraph purport to  
16 summarize or characterize the contents of the document cited in Footnote 46, the document speaks for  
17 itself.

18 101. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
19 allegations in Paragraph 101.

20 102. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
21 allegations in Paragraph 102.

22 103. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
23 allegations in Paragraph 103.

24 104. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
25 allegations in Paragraph 104.

26 **L. Perplexity's Model Relies on Copyrighted Works without Permission or Compensation.**

27 105. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
28 allegations in Paragraph 105.

1           106. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
2 allegations in Paragraph 106. To the extent the allegations set forth in this paragraph purport to  
3 summarize or characterize the contents of the articles cited in Footnote 47, the articles speak for  
4 themselves.

5           107. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
6 allegations in Paragraph 107. To the extent the allegations set forth in this paragraph purport to  
7 summarize or characterize the contents of the documents cited in Footnote 48 and 49, the documents  
8 speak for themselves.

9           108. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
10 allegations in Paragraph 108. To the extent the allegations set forth in this paragraph purport to  
11 summarize or characterize the contents of the document cited in Footnote 50, the document speaks for  
12 itself.

13           109. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
14 allegations in Paragraph 109. To the extent the allegations set forth in this paragraph purport to  
15 summarize or characterize the contents of the document cited in Footnote 51, the document speaks for  
16 itself.

17           110. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
18 allegations in Paragraph 110. To the extent the allegations set forth in this paragraph purport to  
19 summarize or characterize the contents of the document cited in Footnote 52, the document speaks for  
20 itself.

21           111. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
22 allegations in Paragraph 111.

23           **M. Perplexity’s Infringement Was Willful.**

24           112. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
25 allegations in Paragraph 112. To the extent the allegations set forth in this paragraph purport to  
26 summarize or characterize the contents of the document cited in Footnote 53, the document speaks for  
27 itself.

1 113. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
2 allegations in Paragraph 113. To the extent the allegations set forth in this paragraph purport to  
3 summarize or characterize the contents of the document cited in Footnote 54, the document speaks for  
4 itself.

5 114. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
6 allegations in Paragraph 114. To the extent the allegations set forth in this paragraph purport to  
7 summarize or characterize the contents of the document cited in Footnotes 55 and 56, the document  
8 speaks for itself.

9 115. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
10 allegations in Paragraph 115. To the extent the allegations set forth in this paragraph purport to  
11 summarize or characterize the contents of the document cited in Footnote 57, the document speaks for  
12 itself.

13 116. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
14 allegations in Paragraph 116. To the extent the allegations set forth in this paragraph purport to  
15 summarize or characterize the contents of the documents cited in Footnote 58, the documents speak for  
16 themselves.

17 117. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
18 allegations in Paragraph 117.

19 118. Meta lacks knowledge and information sufficient to form a belief as to the truth of the  
20 allegations in Paragraph 118.

21 **V. CLAIMS FOR RELIEF COUNT I**

22 **Copyright Infringement (17 U.S.C. § 501) (Against all Defendants)**

23 119. Meta incorporates by reference its responses to Paragraphs 1 through 118 above as though  
24 fully set forth herein.

25 120. Meta admits that Plaintiffs purport to own registered copyrights in the works at issue in  
26 this action. Except as expressly admitted, Meta denies the allegations in Paragraph 120, including any  
27 implication of the validity of Plaintiffs' claimed copyrights.

1 121. The allegations in Paragraph 121 state legal conclusions or arguments to which no  
2 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 121  
3 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of  
4 the allegations pertaining to the other Defendants.

5 122. The allegations in Paragraph 122 state legal conclusions or arguments to which no  
6 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 122  
7 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of  
8 the allegations pertaining to the other Defendants.

9 123. The allegations in Paragraph 123 state legal conclusions or arguments to which no  
10 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 123  
11 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of  
12 the allegations pertaining to the other Defendants.

13 124. The allegations in Paragraph 124 state legal conclusions or arguments to which no  
14 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 124  
15 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of  
16 the allegations pertaining to the other Defendants.

17 125. The allegations in Paragraph 125 state legal conclusions or arguments to which no  
18 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 125  
19 pertaining to Meta. Meta lacks knowledge and information sufficient to form a belief as to the truth of  
20 the allegations pertaining to the other Defendants.

21 126. The allegations in Paragraph 126 state legal conclusions or arguments to which no  
22 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 126.

23 127. The allegations in Paragraph 127 state legal conclusions or arguments to which no  
24 response is required. To the extent a response is required, Meta denies the allegations in Paragraph 127.

25 **PRAYER FOR RELIEF**

26 128. The allegations in Paragraph 128 contain recitations of the relief sought by Plaintiffs to  
27 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
28 to any relief from or against Meta.

1 129. The allegations in Paragraph 129 contain recitations of the relief sought by Plaintiffs, to  
2 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
3 to any relief from or against Meta.

4 130. The allegations in Paragraph 130 contain recitations of the relief sought by Plaintiffs, to  
5 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
6 to any relief from or against Meta.

7 131. The allegations in Paragraph 131 contain recitations of the relief sought by Plaintiffs, to  
8 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
9 to any relief from or against Meta.

10 132. The allegations in Paragraph 132 contain recitations of the relief sought by Plaintiffs, to  
11 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
12 to any relief from or against Meta.

13 133. The allegations in Paragraph 133 contain recitations of the relief sought by Plaintiffs, to  
14 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
15 to any relief from or against Meta.

16 134. The allegations in Paragraph 134 contain recitations of the relief sought by Plaintiffs, to  
17 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
18 to any relief from or against Meta.

19 135. The allegations in Paragraph 135 contain recitations of the relief sought by Plaintiffs, to  
20 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
21 to any relief from or against Meta.

22 136. The allegations in Paragraph 136 contain recitations of the relief sought by Plaintiffs, to  
23 which no response is required. To the extent a response is required, Meta denies that Plaintiffs are entitled  
24 to any relief from or against Meta.

25 **AFFIRMATIVE DEFENSES**

26 Meta asserts that Plaintiffs' claims are barred, in whole or in part, by the defenses set forth  
27 herein. By setting forth these defenses, Meta does not assume the burden of proving any fact, issue, or  
28

1 element of a cause of action where such burden properly belongs to Plaintiffs. Meta reserves the right to  
2 plead any and all defenses that may be evident or revealed after investigation and discovery in this matter.

3 **FIRST AFFIRMATIVE DEFENSE**

4 To the extent that Meta made any unauthorized copies of Plaintiffs' registered copyrighted works  
5 in connection with the training and development of its LLMs, or otherwise exercised any rights provided  
6 for under 17 U.S.C. § 106, such uses constitute fair use under 17. U.S.C. § 107.

7 **SECOND AFFIRMATIVE DEFENSE**

8 Plaintiffs allege infringement with respect to millions of literary works that were allegedly  
9 included as part of the training datasets used to train Meta's Llama models, including Books3, LibGen,  
10 Z-Lib, and Internet Archive. To the extent the accused datasets include works in the public domain,  
11 unregistered works, works to which copyright protection has been abandoned, works that lack requisite  
12 originality, works that are not subject to copyright protection under the doctrines of merger, scènes à faire  
13 or under 17 U.S.C. § 102(b) or otherwise unprotectable under the law, or works that are subject to misuse,  
14 unclean hands, laches, estoppel or other equitable defenses, or works that were not properly registered or  
15 renewed, provided improper notice, and/or did not comply with registration requirements and/or with  
16 other necessary formalities, Meta reserves its right to defend against Plaintiffs' claims on any or all of  
17 these grounds.

18 **THIRD AFFIRMATIVE DEFENSE**

19 Some or all of Plaintiffs' claims are barred to the extent certain of the Plaintiffs do not own the  
20 copyright for some or all of the works, and/or otherwise lack standing to assert the claims herein.

21 **FOURTH AFFIRMATIVE DEFENSE**

22 To the extent Meta uploaded portions of copyrighted works in the context of downloading training  
23 datasets via bit torrent, any such reproduction was de minimis and did not result in the creation of an  
24 identifiable or usable copy of any copyrighted work.

25 **FIFTH AFFIRMATIVE DEFENSE**

26 Some or all of Plaintiffs' claims are barred under the doctrines of copyright misuse and unclean  
27 hands.

**SIXTH AFFIRMATIVE DEFENSE**

Plaintiffs’ remedies are barred at least in part by the doctrine of laches.

**SEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs are barred from recovery of damages because of and to the extent of their failure to mitigate their damages, if any.

**EIGHTH AFFIRMATIVE DEFENSE**

Meta did not engage in any volitional conduct capable of supporting a claim of direct copyright infringement.

**NINTH AFFIRMATIVE DEFENSE**

Plaintiffs’ claims fail, in whole or in part, because the alleged damages, if any, were the result of one or more intervening or superseding causes or caused by the acts and/or omissions of persons other than Meta.

**DEMAND FOR TRIAL BY JURY**

Meta hereby demands a trial by jury on all claims, counterclaims, defenses, and issues in this action so triable.

Dated: February 26, 2026

**DUNN ISAACSON RHEE LLP**

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