



# Shadow Library Strategy

## Authors v.

The **Shadow Library Strategy** is to raise a separate theory of infringement—apart from the training of AI models—based on the AI company’s initial acquisition of copies of works from controversial shadow libraries.

Judge Alsup **accepted this theory** in rejecting Anthropic’s fair use defense on summary judgment as to “library building” copies in *Bartz*.

But, in *Kadrey*, Judge Chhabria **rejected this theory**, ruling that the initial acquisition of copies was for the further purpose to train Meta’s model, a transformative fair use.



[Bartz v. Anthropic](#)  
Judge Alsup (settled)



[In re Mosaic LLM \(O’Nan; Makkai\)](#)  
Judge Breyer



[Hendrix v. Apple](#) [Martinez-Conde v. Apple](#)  
[Gonzalez Rogers](#) [Alexander v. Apple](#)



[Tanzer v. Salesforce](#)  
[Alexander v. Salesforce](#)  
Judge Breyer



[Kadrey v. Meta](#); [Chabon v. Meta](#)  
[Huckabee v. Meta](#); [Farnsworth](#)  
Judge Chhabria  
[Entrepreneur Media v. Meta](#)  
TBA



[Bird v. Microsoft](#)  
Judge Stein



[Nazemian v. NVIDIA Corp.](#) [Dubus v. NVIDIA Corp.](#)  
Judge Tigar



[Authors Guild v. OpenAI](#), [Denial v. OpenAI](#)  
[Alter](#), [Basbanes](#)  
Judge Stein



[Huckabee v. Bloomberg](#)  
Judge Garnett