

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UMG RECORDINGS, INC., CAPITOL
RECORDS, LLC, and SONY MUSIC
ENTERTAINMENT,

Plaintiffs,

v.

SUNO, INC. and JOHN DOES 1-10,

Defendant.

Civil Action No. 1:24-cv-11611-FDS

**DEENDANT SUNO, INC.’S STATEMENT IN SUPPORT OF
MOTION FOR IMPOUNDMENT**

Pursuant to Local Rule 7.2 and Paragraphs 22 and 23 of the Amended Confidentiality Stipulation and Protective Order entered in this case, (“Protective Order”), Dkt. No. 180, Defendant Suno, Inc. (“Suno”), by and through its undersigned counsel, hereby respectfully submits this statement in support of partially impounding portions of Plaintiffs’ Reply in Support of Second Motion for Leave to Amend Complaint (“Reply”), Dkt. 242, at 1, 4.¹

Suno requests impoundment of two discrete references to the number of audio files Plaintiffs allege Suno used to train its generative AI model (the “Model Training Figure”). As Suno explained in support of its earlier request for impoundment of this same information, the Model Training Figure is intentionally nonpublic and commercially sensitive, and its disclosure “would risk significant competitive harm to Suno.” Dkt. 236 ¶ 8; *see also* Dkt. 235. Suno’s Chief

¹ Plaintiffs moved to impound information on page 7 of the Reply as well. *See* Dkt. 241. Suno does not seek impoundment of the reference on page 7; because Plaintiffs object to maintaining the material under seal, Suno respectfully requests that the Court direct Plaintiffs to refile the Reply without the redaction on page 7.

Technology Officer, Georg Kucsko, articulated the concrete ways that competitors would be able to use the Model Training Figure to their own advantage, including by “benchmark[ing] their own systems against Suno’s model, infer[ring] aspects of Suno’s training and development approach, and potentially optimiz[ing] their models to unfairly compete with Suno’s by leveraging Suno’s confidential business information.” Dkt. 235 ¶ 8. As Mr. Kucsko stated, these unearned advantages would result from disclosure of the Model Training Figure specifically and standing alone. *See id.*

The Model Training Figure is also of only tenuous relevance to Plaintiffs’ claims and Suno’s defenses. To be clear, the Model Training Figure represents the total number of recordings allegedly in Suno’s training data, not the existence or identity of any particular recording purportedly owned by Plaintiffs. Plaintiffs’ proposed infringement claims concern Suno’s alleged use of the specific recordings they have identified, which is information Suno does not seek to impound. *See* Dkt. 235 at 6. The total number of recordings, which includes many recordings Plaintiffs do not claim to own and over which they have no rights, has little, if any, bearing on their claims.

For the same reasons articulated previously, good cause therefore exists to justify narrow impoundment of the Model Training Figure. *See* Fed. R. Civ. P. 26(c); *Nachbaur v. Mahoney*, No. 23-cv-10750, 2024 WL 3471300, at *1 (D. Mass. Feb. 6, 2024) (noting that “[s]ources of business information that might harm a litigant’s competitive standing” can outweigh the common law presumption of public access); *UMG Recordings, Inc., et al. v. Uncharted Labs, Inc.*, Case No. 1:24-cv-04777, Dkt. 79 (S.D.N.Y. Feb. 28, 2025) (granting motion to maintain under seal declaration providing a description of how the defendant “creates and processes its training datasets”).

Suno therefore respectfully requests that the Court grant the motion and order that the materials described herein be impounded until further order of the Court.

Dated: June 18, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent June 18, 2026 to those identified as non-registered participants.

/s/ Brittany N. Lovejoy
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