United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MATT FISHER, et al.,

Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 25-cv-10931-JST

ORDER REQUIRING SUPPLEMENTAL BRIEFING AND CONTINUING CASE MANAGEMENT CONFERENCE

Re: ECF No. 33

Before the Court is Defendant Meta Platforms, Inc.'s motion to dismiss. ECF No. 33. After the motion was fully briefed, Plaintiffs Ted Entertainment, Inc. and Golfholics, Inc. voluntarily dismissed their claims. ECF Nos. 53, 56. The case remains active as to Plaintiffs Matt Fisher, Devin Youngblood, Nichole Chmura, and Chris Rice.

In addition, Plaintiffs have filed several statements of recent decision. ECF Nos. 47, 49, 50, 54, 55. Several of these cases addressed allegations regarding some or all of the same YouTube Technological Protection Measures, and some of the same datasets, that are at issue in this case. Four courts determined that the plaintiffs had sufficiently stated a claim under Section 1201(a) of the Digital Millennium Copyright Act, the same claim Plaintiffs assert in this case. *Ted Ent., Inc. v. Apple, Inc.*, No. 26-cv-02936-RS, ECF No. 61 at 5–12 (N.D. Cal. Oct. 9, 2026) (ECF No. 55-1 at 6–13); *Ted Ent., Inc. v. ByteDance Inc.*, No. 3:25-cv-10933-JSC, 2026 WL 2970541, at *5–6 (N.D. Cal. Oct. 2, 2026); *Ted Ent., Inc. v. Snap, Inc.*, No. 2:26-cv-00754-AB-MBK, 2026 WL 2435349, at *4–7 (C.D. Cal. Aug. 19, 2026); *Justice v. Suno, Inc.*, Civ. Action No. 25-11739-FDS, 2026 WL 2445362, at *4 (D. Mass. Aug. 20, 2026) (relying on *UMG Recordings, Inc. v. Suno, Inc.*, Civ. Action No. 24-11611-FDS, 2026 WL 2410184, at *5–6 (D. Mass. Aug. 18, 2026)). One court also concluded that the plaintiffs had both Article III and statutory standing.

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ByteDance, 2026 WL 2970541, at *2–5. Although not binding on the Court, these cases weigh in favor of denying Meta's motion.

To ensure that Meta has an adequate opportunity to be heard regarding these authorities, and that Plaintiffs have an adequate opportunity to respond to Meta's arguments, the parties shall file a joint supplemental brief, with no more than five pages for each side, addressing the recent cases identified by Plaintiffs, including whether there are any material factual distinctions that warrant departing from the results in those cases. The parties shall also include their views on whether the voluntary dismissal of two Plaintiffs has any impact on the pending motion to dismiss. The brief shall be filed no later than November 19, 2026.

The November 17, 2026 case management conference is continued to February 23, 2027, with a joint case management statement due by February 16, 2027.

IT IS SO ORDERED.

Dated: October 30, 2026

JON S. TIGAR
United States District Judge