# 23-1260

IN THE

### United States Court of Appeals

FOR THE SECOND CIRCUIT

HACHETTE BOOK GROUP, INC., HARPERCOLLINS PUBLISHERS L.L.C., JOHN WILEY & SONS, INC., PENGUIN RANDOM HOUSE LLC,

—against—

Plaintiffs-Appellees,

INTERNET ARCHIVE,

Defendant-Appellant,

Does 1-5, inclusive,

Defendants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

### BRIEF FOR AMICI CURIAE COPYRIGHT SCHOLARS IN SUPPORT OF DEFENDANT-APPELLANT AND REVERSAL

JASON M. SCHULTZ
SUNOO PARK (admission pending)
JAKE KARR
TECHNOLOGY LAW AND POLICY CLINIC
NEW YORK UNIVERSITY SCHOOL OF LAW
245 Sullivan Street #609
New York, New York 10012
(212) 992-7365

Counsel for Amici Curiae



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