

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CONCORD MUSIC GROUP, INC. *ET AL.*,

Plaintiffs,

v.

X CORP., D/B/A TWITTER,

Defendant.

Case No. 3:23-cv-00606

District Judge Aleta A. Trauger

**DEFENDANT X CORP.'S MOTION TO DISMISS
THE SECOND AMENDED COMPLAINT**

Defendant X Corp. respectfully moves to dismiss Plaintiffs' Second Amended Complaint. As explained more fully in the accompanying Memorandum of Law, the Supreme Court's recent decision in *Cox Communications, Inc. v. Sony Music Entertainment*, 146 S. Ct. 959 (2026), forecloses Plaintiffs' theory of contributory copyright infringement. *Cox* established that a service provider may be held contributorily liable for its users' infringement only through inducement or tailoring. Plaintiffs do not allege tailoring. They also disclaimed any inducement theory when they filed this lawsuit, instead relying on a material-contribution theory that *Cox* has now abrogated. Plaintiffs' attempt to retrofit an inducement theory fails as a matter of law because the allegations suggest only insufficient action to prevent infringement, which *Cox* and other cases have held cannot support an inducement claim.

Accordingly, for the reasons set forth in the accompanying Memorandum of Law, the Declaration of Joshua D. Branson, and the exhibits attached to that declaration, the Court should dismiss the Second Amended Complaint with prejudice.

Dated: June 11, 2026

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2026, I filed the foregoing document with the Court and served it on counsel through the Court's CM/ECF system. Notice of this filing will be sent to all parties and counsel of record by operation of the Court's CM/ECF system.

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