

April 29, 2026

Mr. Rich Skrenta
Executive Director
Common Crawl Foundation
9663 Santa Monica Blvd, #425
Beverly Hills, CA 90210

Re: Unauthorized Use of Content for AI Purposes

Dear Mr. Skrenta:

I write on behalf of the News Media Alliance (“NMA”) to address the troubling ways Common Crawl operates and enables widescale copyright infringement by AI developers and other unauthorized third parties. Although Common Crawl now allows rights holders to put their names on an “opt-out” list intended to protect them from Common Crawl’s future web scraping, Common Crawl has failed to remove from its archives the content it previously scraped without authorization or to confirm it will do so within the near future—if at all.¹ Indeed, some of our members have reported sending removal requests over 2.5 years ago to no avail. Moreover, Common Crawl permits the unauthorized use of its repository, including for AI purposes, even while Common Crawl’s terms of use tacitly acknowledge the unlawfulness of such unauthorized uses. And, as you must be aware, AI developers, including some of the most powerful tech companies on earth, are in fact using Common Crawl’s content to power their commercial AI tools and products – causing significant harm to our members.

We urge Common Crawl to respect the intellectual property rights of news publishers. Among other things, we ask that Common Crawl include a clear public statement on its website that (1) upon request of a publisher, it will swiftly remove content from the archive; (2) it is not the owner of the scraped content it offers and cannot authorize its use; (3) it prohibits the unauthorized use of such content, including for AI purposes; (4) it respects the intellectual property rights of news publishers and other rights holders to prohibit the unauthorized use of their content, including for AI purposes; and (5) upon request of a publisher, it will include in its “Opt-Out Registry” publisher contact information to direct users to obtain the requisite license(s) for any use. We also urge Common Crawl to adopt terms of use that explicitly prohibit use of the company’s archives for purposes not expressly authorized.

¹ Common Crawl has yet to remove such content even though its terms of use state that “we and our designees shall have the right to remove any Crawled Content at any time and for any reason in our sole discretion.” <https://commoncrawl.org/terms-of-use>.



NMA is the leading organization representing news, magazine, and digital media publishers in the United States and internationally on all matters affecting the publishers' ability to provide essential services to their communities. Our members range from the largest news and magazine publishers to hyperlocal newspapers, and from digital-only outlets to papers who have printed news for centuries. Our members make considerable investments to provide high-quality journalism and other content to their readers and subscribers, including on a daily basis, and they depend on their ability to monetize their content for their very existence.

While Common Crawl often portrays itself as a source of academic and historical web crawl data, to be used by researchers, academics, and historians for the public good, Common Crawl enables the scraped content in its archive to be used by any number of commercial developers irrespective of copyright protections and for purposes that harm publishers' ability to license their content to said commercial developers. Indeed, Common Crawl is funded by these very developers² and acknowledges in its Mission and Impact statements that its content is used by "entrepreneurs, and developers" to "create . . . applications and services" (<https://commoncrawl.org/mission>) in fields such as "language processing, search engine optimization, and web analytics" (<https://commoncrawl.org/impact>). It is, moreover, documented that AI developers have relied on massive amounts of scraped content from Common Crawl to develop their AI products, without authority from or payment to rights holders, including our members.³ It is for this reason these concerning artificial intelligence developers' uses of content from entities such as Common Crawl to build LLMs have been described by commenters as "data laundering."⁴ As NMA has elsewhere explained,⁵ generative AI products ("GAI products") are typically trained on datasets that disproportionately include the high-quality creative outputs of NMA's members. These GAI products provide outputs to their users which substitute for and

² In 2024, over 60% of donated funds, and at least 8 out of 13 donors, were directly or closely affiliated with leading generative AI companies or data brokers. Over half of those donations came from three sources: Anthropic, OpenAI, and the Schmidt Foundation, sponsored by the Google founder and deeply committed to generative AI. 2023 was similar, with the venture capital firm Andreessen Horowitz, which identifies AI as one of its focus areas (<https://a16z.com/>), also making a healthy \$100,000 donation. See Common Crawl, *Form 990: Return of Private Foundation* ProPublica (2024), <https://projects.propublica.org/nonprofits/organizations/261635908/202533119349100948/full>; Common Crawl, *Form 990: Return of Private Foundation* ProPublica (2023), <https://projects.propublica.org/nonprofits/organizations/261635908/202403189349101980/full>.

³ See, e.g., Romal Thoppilan et al., *LaMDA: Language Models for Dialog Applications*, Google, at 47, <https://arxiv.org/pdf/2201.08239.pdf> (explaining how Google's Bard was developed using a subset of Common Crawl content known as "C4"); Tom B. Brown et al., *Language Models Are Few-Shot Learners*, OpenAI, at 9, <http://arxiv.org/pdf/2005.14165.pdf> (explaining how OpenAI built various iterations of its GPT technology using content from Common Crawl).

⁴ See James Vincent, *The Scary Truth About AI Copyright Is Nobody Knows What Will Happen Next*, The Verge (Nov. 15, 2022), <https://www.theverge.com/23444685/generative-ai-copyright-infringement-legal-fair-use-training-data>.

⁵ See, e.g., News/Media Alliance, *How the pervasive copying of expressive works to train and fuel generative artificial intelligence systems is copyright infringement and not a fair use* (Oct. 31, 2023), <https://www.newsmediaalliance.org/wp-content/uploads/2023/10/AI-White-Paper-with-Technical-Analysis.pdf>.

directly compete with NMA members' creative works. Both practices unfairly usurp NMA members' ability to license and financially benefit from their own content.

NMA appreciates Common Crawl's commitment to not crawl websites with properly configured robots.txt files.⁶ But that is insufficient to protect our members from the harm caused by the unauthorized and unlawful use of their content, including for AI purposes, resulting from Common Crawl regularly providing our members' historic content to AI developers. Indeed, Common Crawl invites such use, by obtaining full indemnities for the (1) "use of Crawled Content in connection with artificial intelligence, machine learning, or other similar technologies, including, without limitation, large language models and neural networks (collectively, 'AI Systems'), including the use of Crawled Content for the purpose of developing, training, or deploying AI Systems;" (2) "use of Crawled Content in the creation, use, or distribution of any content ('Generated Content'), whether created by AI Systems or otherwise;" (3) "infringement or misappropriation of any third party's patent, trademark, copyright, or trade secret rights, including in connection with Crawled Content, AI Systems, or Generated Content;" and (4) "any actions taken by end-users of AI Systems, including creation or use of Generated Content." <https://commoncrawl.org/terms-of-use>.

We understand that Common Crawl (1) has established an "opt-out" registry of content owners who do not wish their content to be scraped by Common Crawl or used by those who download the archive; and (2) maintains it provides notice to downstream users of the archive not to use content associated with URLs in that registry. But the "Opt-Out Registry" is just one of 27 sub-sections identified at the bottom of Common Crawl's website home page and nothing in that sub-heading or the body of that section alerts users not to use registrants' content. At most, Common Crawl states that such registrants "have specifically requested to be excluded from our crawls." <https://commoncrawl.org/blog/common-crawl-foundation-opt-out-registry>.

For all these reasons, NMA requests that Common Crawl:

- upon request of a publisher, swiftly remove the publisher's content from Common Crawl's archive;
- include a clear and conspicuous public statement on its website that (1) upon request of a publisher, it will swiftly remove content from the archive; (2) it is not the owner of the scraped content it offers and cannot authorize its use; (3) it prohibits the unauthorized use of such content, including for AI purposes; (4) it respects the intellectual property rights of news publishers and other rights holders to prohibit the unauthorized use of their content, including for AI purposes; and (5) upon request of a publisher, it will include in its "Opt-Out Registry" publisher contact information to direct users to obtain the requisite license(s) for any use;

⁶ We nevertheless question Common Crawl's implementation of this policy given Common Crawl's statement that "we will periodically continue to check if the robots.txt file has been updated." <https://commoncrawl.org/faq>. We ask that you explain the meaning of "periodically," given how often Common Crawl scrapes the web.

- revise its terms of use to explicitly state that it prohibits the use of its repository for AI purposes, and that it may discontinue or restrict a user’s use of the Common Crawl site or service should such user violate this term;⁷ and
- include a clear and conspicuous directive on the Opt-Out Registry list that warns users not to use registrants’ content for unauthorized uses, including for AI purposes and that any such use will be a breach of Common Crawl’s terms of use, and such terms will be fully enforced.

While no copyright holder is required to opt-out of the unauthorized copying of its copyrightable materials, attached as Exhibit A below is a list of publishers who seek to join your “Opt-Out Registry” or add additional domain names. These publishers join the news publishers who are already opting out of Common Crawl.

We appreciate Common Crawl’s cooperation. Nothing contained in or omitted from this letter is intended to be or should be considered an admission of any fact or a waiver of any right or defense by NMA or any of our individual members, all of which are expressly reserved.

Sincerely,

A handwritten signature in black ink, appearing to read "Daboffy". The signature is written in a cursive, flowing style with a long, sweeping tail on the final letter.

President & CEO
News/Media Alliance

⁷ That is the best way to ensure rightsholders “fair treatment.” <https://commoncrawl.org/blog/setting-the-record-straight-common-crawls-commitment-to-transparency-fair-use-and-the-public-good>.

Exhibit A

List of News Publishers’ Domain Names to Be Added to Common Crawl’s “Opt-Out Registry”

These publishers join those news publishers who have already separately sent Common Crawl legal opt-out requests, as listed on Common Crawl’s [website](#), including Advance Publications, The Atlantic, BBC, DMG, The Economist, The Guardian, Hearst, News Corp, New York Times, Philadelphia Inquirer, Toronto Star, and The Washington Post.

Publisher/Requester	Domain Names to Add
Advance	advanceoriginals.com njadvancemedia.com thisiscny.com newyorkupstate.com jerseysbest.com
BBC	bbc.co.uk bbci.co.uk bbc.com bidi.net.uk bbcmedia.co.uk
Boston Globe Media Partners, LLC	bostonglobe.com boston.com statnews.com bostonmagazine.com bostonglobemedia.com and all BGMP mobile applications including Boston Glove, Boston.com, and STAT News
CherryRoad Media	agjournalonline.com alexandriatimes-tribune.com alictx.com amtrib.com ardmoreite.com areawidenews.com arenacindependent.com bcdemocratonline.com beardstownnewspapers.com boonvilledailynews.com brownwoodtx.com butlercountytimesgazette.com carrollconews.com casscountystargazette.com cctimesdemocrat.com chillicothenews.com chronicle-express.com claycountycourier.com

claytonrecord.com
clintonitem.com
cookcountynews-herald.com
crookstontimes.com
dodgeglobe.com
elwoodcall-leader.com
elwoodpublishing.com
emountainwave.com
eurekaspringstimesecho.net
examiner.net
flippinonline.com
fowlertribune.com
fbleavenworthlamp.com
gctelegram.com
granitefallsnews.com
hamburgreporter.com
hdnews.net
heralddemocrat.com
hutchinsonstation.com
journaldemocrat.com
kiowacountysignal.com
lajuntatribunedemocrat.com
lakecountypress.news
leavenworthtimes.com
leominsterchamp.com
linncountyleader.com
litchfieldrail.com
lovelycitizen.com
marshallnews.com
mcbeacon.com
mccallstarnews.com
mcphersonnews.com
mcphersonsentinel.com
mcphersonweeklynews.com
midlothianmirror.com
millburysutton.com
moberlymonitor.com
montenews.com
ncnewspress.com
news-star.com
ogemawherald.com
oscodaheald.com
ottawaherald.com
palopintopress.com
pratttribune.com
rainylakegazette.com

redwoodfallsgazette.com
registerpublications.com
richfieldreaper.com
runnelscountyregister.com
sjnewsonline.com
sleepyeyenews.com
southmissouriannews.com
starheraldnews.com
stjamesnews.com
thechronicle-news.com
thegrafftonnews.com
thekansan.com
thelandmark.com
thenewsinsalem.com
tiptoncountytribune.com
tricitynewsmn.com
tricitytribune.news
ubmedia.biz
uintahbasinstandard.com
vanalstyneleader.com
vernalexpressnews.com
villageronline.com
waxahachietx.com
wellingtondailynews.com
yourglenrosetx.com
yourstephenvilletx.com
adaherald.com
atchisonglobenow.com
bowlinggreentimes.com
delphosherald.com
elsberrydemocrat.com
firesideguard.com
gladstonedispatch.com
greenacressells.com
hermannadvertisercourier.com
hiawathaworldonline.com
lakegazette.net
lincolncountyjournal.com
lincolnnewsnow.com
lindsborgnewsrecord.com
louisianapressjournal.com
mycouriertribune.com
pikecountynews.com
progressnewspaper.org
putnamsentinel.com
republic-online.com

	savrep.com timesbulletin.com troyfreepress.com vandalialeader.com atchisondailyglobe.com cooknewsherald.com grovecitymessenger.com groveportmessenger.com scwmessenger.com themadisonmessenger.com thetowernews.com thewestsidemessenger.com trentontelegraph.com swmessenger.com semessenger.com carrolltondemocrat.com mycnews.com claxtonenterprise.com claxtonenterprise.org
CNN	cnn.com arabic.cnn.com cnnespanol.cnn.com edition.cnn.com
Emmerich Newspapers	enterprise-journal.com ddtonline.com gwcommonwealth.com pressregister.com newtoncountyappeal.com northsidesun.com columbianprogress.com yazooherald.net simpsoncounty.ms sctonline.net hubcityspokes.com redhillsmsnews.com starherald.net era-leader.com enterprise-tocsin.com tallahatchienews.ms clarkecountytrib.com dumas-clarion.com grenadastar.com taterecord.com madisonjournal.com
Fandom, Inc.	fandom.com and all of its subdomains gamestop.com

	Metacritic.com TVGuide.com Comicvine.gamespot.com gameFAQs.gamespot.com fanatical.com
LDL Magazine	ldlmagazine.com
McClatchy	miamiherald.com charlotteobserver.com kansascity.com sacbee.com star-telegram.com newsobserver.com kansas.com thestate.com kentucky.com fresnobee.com thenewtribune.com idahostatesman.com islandpacket.com ledger-enquirer.com bradenton.com sanluisobispo.com bnd.com modbee.com sunherald.com heraldsun.com centredaily.com heraldonline.com myrtlebeachonline.com theolympian.com bellinghamherald.com macon.com tri-cityherald.com mercedsunstar.com beaufortgazette.com elnuevoherald.com mahoningmatters.com pembrokepinesflnews.com/ miramarflnews.com/ coralspringsflnews.com newshunter.com/ bargainhunter.com/ trendhunter.com modmomsclub.com lifeandstylemag.com/ usmagazine.com/

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NBCUniversal	<p>NBCNews.Com TODAY.Com NBCUAcademy.com NBCNewsstudios.com NBCselect.com Meetthepress.com NBCNightlynews.com NBCNewsNow.Com Telemundo.com NoticiasTelemundo.com telemundo20.com/ telemundo31.com/ telemundo33.com/ telemundo40.com/ telemundo47.com/ telemundo48elpaso.com/ telemundo49.com/ telemundo51.com/ telemundo52.com/ telemundo62.com/ telemundoareadelabaha.com/ telemundoarizona.com/ telemundochicago.com/ telemundodallas.com/ telemundodenver.com/ telemundofresno.com/ telemundohouston.com/ telemundolasvegas.com/ telemundonuevainglaterra.com/ telemundonuevomexico.com/ telemundopr.com/ telemundosanantonio.com/ telemundoutah.com/ telemundowashingtondc.com/ nbcbayarea.com/ nbcboston.com/ nbcchicago.com/ nbconnecticut.com/ nbcdfw.com/ nbclosangeles.com/ nbciami.com/ nbcnewyork.com/</p>

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Newsday	newsday.com
Outdoor Sportsman Group	bowhunter.com firearmsnews.com floridasportsman.com flyfisherman.com gameandfishmag.com gundogmag.com gunsandammo.com handgunsmag.com in-fisherman.com northamericanwhitetail.com bowhuntingmag.com petersenshunting.com rifleshootermag.com shootingtimes.com wildfowlmag.com outdoorchannel.com/default.aspx thesportsmanchannel.com worldfishingnetwork.com outdoorchannelplus.com/
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TelevisaUnivision	<p> vix.com univisionnow.com/ univision.com/ tudn.com/ copaunivision.com corporate.televisaunivision.com investors.televisaunivision.com/ hispanicvote.univision.com/ shop.univision.com/ uat-x.lasestrellas.tv/ telehit.com/ bandamax.tv/ unicable.tv/ distritocomedia.com/ televisa.com/ losbingers.com/ uat-x.losbingers.com/famosos televisallega.com/ </p>
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USA Today	beaconjournal.com alamogordonews.com amarillo.com aberdeennews.com amestrib.com app.com argusleader.com citizen-times.com onlineathens.com azcentral.com timesonline.com newsrepublican.com buckscountytimes.com burlingtoncountytimes.com capecodtimes.com currentargus.com publicopiniononline.com cheboygannews.com chillicothegazette.com cincinnati.com columbiadailyherald.com columbiatribune.com caller.com mycentraljersey.com courierpostonline.com dailycommercial.com thedailyjournal.com pontiacdailyleader.com cantondailyledger.com mpnnow.com dailyrecord.com reviewatlas.com dailyworld.com news-journalonline.com

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ellwoodcityledger.com
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examiner-enterprise.com
fdlreporter.com
floridatoday.com
fosters.com
swtimes.com
gosanangelo.com
greatfalltribune.com
greenbaypressgazette.com
greenvilleonline.com
eveningsun.com
hattiesburgamerican.com
northjersey.com
htrnews.com
heraldtribune.com
hillsdale.net
mycentraljersey.com
hometownlife.com
tcpalm.com
indystar.com
press-citizen.com
jonline.com
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mcdonoughvoice.com
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mycentraljersey.com
naplesnews.com
njherald.com
newarkadvocate.com
newschief.com
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tcpalm.com
bucyrustelegraphforum.com
reporternews.com
the-review.com
independentmail.com
augustachronicle.com
battlecreekenquirer.com
northjersey.com
norwichbulletin.com

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carmitimes.com
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coloradoan.com
dispatch.com
commercialappeal.com
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houmatoday.com
courierpress.com
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gainesville.com
thegardnernews.com
gastongazette.com
thegleaner.com
heraldnews.com
heraldmailmedia.com
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thenorthwestern.com
oakridger.com
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palmbeachpost.com
postcrescent.com
progress-index.com
providencejournal.com
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sheboyganpress.com
thespectrum.com
staugustine.com
tcpalm.com
southcoasttoday.com
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sf.eater.com
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twincities.eater.com
vancouver.eater.com
vegas.eater.com
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bitterandblue.sbnation.com
cartilagefreecaptain.sbnation.com
cominghomenewcastle.sbnation.com
fosseposse.sbnation.com
liverpooloffside.sbnation.com
rokerreport.sbnation.com
royalbluemersey.sbnation.com
thebusbybabe.sbnation.com
theshortfuse.sbnation.com
thetilehurstend.sbnation.com
weaintgotnohistory.sbnation.com
acmilan.theoffside.com
acmepackingcompany.com
addictedtoquack.com
allaboutthejersey.com
allforxi.com
alligatorarmy.com
amazonavenue.com
anchorofgold.com
andthevalleyshook.com
anonymouseagle.com
arrowheadpride.com
aseaofblue.com
athleticsnation.com
azdesertswarm.com
azsnakepit.com
backingthepack.com
badlefthook.com
baltimorebeatdown.com
bannersontheparkway.com
barcablaugranes.com
batterypower.com
battleredblog.com
bavarianfootballworks.com
bcinterruption.com
behindthesteelcurtain.com

bigblueview.com
bigcatcountry.com
blackandgoldbanneret.com
blackheartgoldpants.com
blackshoediaries.com
blackwhitereadallover.com
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