

EXHIBIT J

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MEDIATED AMBIANCE LLC,
Plaintiff,
v.
TOUCHTUNES MUSIC CORP.,
Defendant.

Civil Action No. 1:18-cv-02624-PGG

JURY TRIAL DEMANDED

**TOUCHTUNES MUSIC CORP.'S
SUPPLEMENTAL INVALIDITY
CONTENTIONS**

Pursuant to Local Patent Rules 7 and 9, Defendant TouchTunes Music Corporation (“TouchTunes”) hereby provides these Supplemental Invalidity Contentions to Plaintiff Mediated Ambiance LLC’s (“MAL”). TouchTunes reserves the right to supplement these contentions in accordance with Fed. R. Civ. P. 26(e) and Local Patent Rule 9.

The Court has not yet construed the asserted patent claims. TouchTunes does not believe that it infringes any asserted claim under any construction, but if the asserted patent claims are construed to encompass TouchTunes’ products, systems or methods, those claims also encompass the prior art and are invalid. To the extent that these Invalidity Contentions rely on or otherwise embody particular constructions of terms or phrases in the asserted claims, TouchTunes is not proposing any such constructions as proper constructions of those terms or phrases at this time. For purposes of these Invalidity Contentions, TouchTunes may adopt alternative claim construction positions. In particular, certain of these Invalidity Contentions may be based on claim constructions that appear to underlie MAL’s Infringement Contentions.

(For example, MAL asserts that it “believes that any software or mobile application that can be used to play music on a TouchTunes product may infringe one or more of the claims of the patents-in-suit, pending further investigation of such products during the course of discovery.” Infringement Contentions at 2.) TouchTunes, however, disagrees with and does not concede that MAL’s apparent constructions are proper, and reserves the right to contest any such constructions. Nothing stated herein shall be construed as an admission or a waiver of any particular construction of any claim term. Moreover, nothing herein admits in any way that any accused instrumentality, or any TouchTunes’ product, system, or method, infringes any of the asserted claims.

Prior Art Anticipating or Rendering Obvious the Asserted Claims

In accordance with Local Patent Rule 7, TouchTunes identifies the following items of prior art that it contends anticipates (under 35 U.S.C. § 102) or renders obvious (under 35 U.S.C. § 103, alone or in combination with one or more of the other identified items of prior art) each asserted claim (*i.e.*, claims 1, 2, 4, 6-8, 10, 12-14, 16, and 18-20 of U.S. Patent No. 8,489,119; claims 1-3 and 5-20 of U.S. Patent No. 8,909,256; claims 1-20 of U.S. Patent No. 9,473,582; and claims 1-20 of U.S. Patent No. 9,148,484):¹

¹ Unless otherwise indicated, copies of the prior art patents, published applications, and other publications identified herein were produced to MAL with TouchTunes’ Preliminary Invalidity Contentions.

1. Prior Art Patents & Published Applications

Patent/Publ. No.	Title	Filed/Priority	Issued/Published	First-Named Inventor
EP0699330B1	GPS Explorer	May 18, 1994	April 29, 1998	Taylor
EP0717545A2	Interactive Telephone Networking Service	Dec. 1, 1995; Dec. 13, 1994	June 19, 1996	Barber
EP0795991A1	Communications System	Mar. 11, 1996	Sept. 17, 1997	Coiera
EP0853287A2	Method for Transmission of Information to the User	Dec. 22, 1997	July 15, 1998	Kari
EP1434459A2	Mobile Communications Subscriber Profile Matching System	Aug. 17, 2000; Aug. 24, 1999	June 30, 2004	Fraccaroli
EP2259237A1	Signalling Device and Method of Signaling Service Quality	June 2, 2009	December 12, 2010	Kalkman
U.S. Patent No. 5,086,394	Introduction System for Locating Compatible Persons	Mar. 29, 1990; May 12, 1989	Feb. 4, 1992	Shapira
U.S. Patent No. 5,432,542	Television Receiver Location Identification	Aug. 31, 1992	July 11, 1995	Thibadeau
U.S. Patent No. 5,798,785	Terminal for Suggesting Programs Offered on a Television Program Delivery System	Dec. 2, 1993	Aug. 25, 1998	Hendricks
U.S. Patent No. 5,832,381	Location Updating in a Cellular Radio Network	Oct. 19, 1994; Oct. 20, 1993	Nov. 3, 1998	Kauppi
U.S. Patent No. 5,918,181	Method and Apparatus for Tracking Location of Wireless Terminals in a Nanocellular Digital Cordless Terminal Network Coupled to a Local Exchange	Oct. 15, 1996	June 29, 1999	Foster
U.S. Patent No. 5,945,988	Method and Apparatus for Automatically Determining and Dynamically Updating User Preferences in an Entertainment System	May 30, 1997; June 26, 1996	Aug. 31, 1999	Williams
U.S. Patent No. 5,963,951	Computerized On-Line Dating Service for Searching and Matching People	June 30, 1997	Oct. 5, 1999	Collins
U.S. Patent No. 6,052,122	Method and Apparatus for Matching	June 13, 1997	April 18, 2000	Sutcliffe

Patent/Publ. No.	Title	Filed/Priority	Issued/Published	First-Named Inventor
	Registered Profiles			
U.S. Patent No. 6,061,561	Cellular Communication System Providing Sell Transmitter Location Information	Oct. 11, 1996	May 9, 2000	Alanara
U.S. Patent No. 6,061,681	On-Line Dating Service for Locating and Matching People Based on User-Selected Search Criteria	June 30, 1997	May 9, 2000	Collins
U.S. Patent No. 6,256,503	Method and System in a Wireless Communications Network for Providing Restricted User Termination Areas Based on Originator Location	July 9, 1997	July 3, 2001	Stephens
U.S. Patent No. 6,438,579	Automated Content and Collaboration-Based System and Methods for Determining and Providing Content Recommendations	July 14, 2000; July 16, 1999	Aug. 20, 2002	Hosken
U.S. Patent No. 6,530,083	System for Personalized Settings	June 19, 1998	Mar. 4, 2003	Liebenow
U.S. Patent No. 6,539,232	Method and System for Connecting Mobile Users Based on Degree of Separation	June 8, 2001; June 10, 2000	Mar. 2, 2003; July 4, 2002	Hendrey
U.S. Patent No. 6,542,748	Method and System for Automatically Initiating a Telecommunications Connection Based on Distance	June 8, 2001; June 10, 2000	April 1, 2003; Aug. 15, 2002	Hendrey
U.S. Patent No. 6,542,750	Method and System for Selectively Connecting Mobile Users Based on Physical Proximity	June 8, 2001; June 10, 2000	April 1, 2003; Aug. 8, 2002	Hendrey
U.S. Patent No. 6,549,768	Mobile Systems Communications Matching System	Aug. 24, 1999	April 15, 2003	Fraccaroli
U.S. Patent No. 6,563,430	Remote Control Device with Location Dependent Interface	Dec. 11, 1998	May 13, 2003	Kemink
U.S. Patent No. 6,647,269	Method and System for Analyzing Advertisements Delivered to a Mobile Unit	July 5, 2001; Aug. 7, 2000	Nov. 11, 2003; Aug. 1, 2002	Hendrey
U.S. Patent No. 6,774,840	Systems and Methods for Providing Location-Based Arrival Monitoring and Notification	June 24, 2002	Aug. 10, 2004	Adamczyk

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