

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

**VIRTUAL CREATIVE ARTISTS, LLC,**

Plaintiff,

v.

**SOUNDCLOUD INC.,**

Defendant.

C.A. No. 1:24-cv-06356

**JURY TRIAL DEMANDED**

**PATENT CASE**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Virtual Creative Artists, LLC files this Original Complaint for Patent Infringement against Soundcloud Inc. and would respectfully show the Court as follows:

**I. THE PARTIES**

1. Plaintiff Virtual Creative Artists, LLC (“VCA” or “Plaintiff”) is a Delaware limited liability company, having business address at 338 Gracious Way, Henderson, NV 89011.

2. On information and belief, Defendant Soundcloud Inc. (“Soundcloud” or “Defendant”) is a corporation organized and existing under the laws of Delaware. Defendant has its principal place of business at 71 Fifth Avenue, 5th Floor, New York, NY, 10003. Defendant has a registered agent at Corporation Service Company, 80 State Street, Albany, NY 12207.

**II. JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction of such action under 28 U.S.C. §§ 1331 and 1338(a).

4. On information and belief, Defendant is subject to this Court’s specific and general personal jurisdiction, pursuant to due process and the New York Long-Arm Statute, due at least to

its business in this forum, including at least a portion of the infringements alleged herein at 245 5th Avenue, 6th Floor, New York, Ny 10016.

5. Without limitation, on information and belief, within this state, Defendant has used the patented inventions thereby committing, and continuing to commit, acts of patent infringement alleged herein. In addition, on information and belief, Defendant has derived revenues from its infringing acts occurring within New York. Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and deriving substantial revenue from goods and services provided to persons or entities in New York. Further, on information and belief, Defendant is subject to the Court's personal jurisdiction at least due to its sale of products and/or services within New York. Defendant has committed such purposeful acts and/or transactions in New York such that it reasonably should know and expect that it could be haled into this Court as a consequence of such activity.

6. Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant has businesses in this district at 245 5th Avenue, 6th Floor, New York, Ny 10016. On information and belief, from and within this District Defendant has committed at least a portion of the infringements at issue in this case.

7. For these reasons, personal jurisdiction exists and venue is proper in this District under 28 U.S.C. § 1400(b).

**III. COUNT I**  
**(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,501,480)**

8. Plaintiff incorporates the above paragraphs herein by reference.

9. On November 22, 2016, United States Patent No. 9,501,480 ("the '480 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '480 Patent is

titled “Revenue-Generating Electronic Multi-Media Exchange and Process of Operating Same.” A true and correct copy of the ‘480 Patent is attached hereto as Exhibit A and incorporated herein by reference.

10. VCA is the assignee of all right, title, and interest in the ‘480 Patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘480 Patent. Accordingly, VCA possesses the exclusive right and standing to prosecute the present action for infringement of the ‘480 Patent by Defendant.

11. The invention relates to the field of creating and distributing media content, in particular, creating media content based upon submissions received on an electronic media exchange. At the time of the original invention in 1998, there was an Internet-centric problem that required a technical solution—how to develop a computer system that would allow remote contributors of electronic content to share and collaborate their content to develop new media content. The claimed invention, which predates modern crowdsourcing solutions, offers a unique, unconventional, and specially configured combination of “subsystems” in which to address the Internet-centric problem.

12. As set forth in the claims, the claimed invention has a collection of unconventional and particularly configured subsystems, including:

- “an electronic media submissions server subsystem,”
- “an electronic multimedia creator server subsystem,”
- “an electronic release subsystem,”
- “an electronic voting subsystem,” and
- their corresponding specialized databases.

13. Each of these subsystems are configured in a very specific (and not generic), unconventional and non-routine manner to offer the novel and non-obvious claimed invention.

For example, claim 1 requires an “electronic media submissions database,” which is a subsystem that receives media submissions from Internet users. This is not a generic database but rather a scalable database that must be able to receive, store, and manage multiple petabytes of multimedia data received from users all over the world. This is one of the many specialized databases required in the claim. In fact, the specification discloses the use of a sophisticated database management system known in the art at the time that was capable of handling data at this level, Oracle7. This type of database management system cannot operate on a generic computing system but rather requires specialized hardware and software.

14. As another example, the claim requires a specifically configured “electronic media submission server subsystem.” This subsystem is defined as specifically having:

- “one or more data processing apparatus,”
- “an electronic media submission database stored on a non-transitory medium,”  
and
- “a submissions electronic interface.”

The “submissions electronic interface” is further specifically “configured” [1] “to receive electronic media submissions from a plurality of submitters over a public network, and [2] store the electronic media submissions in the electronic media submission database.” Further, “the electronic media submissions database” in this subsystem is further required to “store[] [1] data identifying the submitter and [2] data indicating content for each electronic media submission.” Collectively, the level of detail included in this very particular, well-defined, and unconventional subsystem makes clear that the claims include substantially more than the alleged abstract idea or merely performing an alleged abstract idea on a computer.

15. Similarly, the claim also requires a separate specifically configured “an electronic multimedia creator server subsystem.” The claim specifically defines how this second subsystem

interacts with other components including being “operatively coupled to the electronic media submissions server subsystem.” The claim also specifically defines this subsystem as “having”:

- “one or more data processing apparatus” and
- “an electronic creator multimedia database stored on a non-transitory medium.”

16. This subsystem is also specifically “configured [1] to select and [2] retrieve a plurality of electronic media submissions from the electronic media submissions database using an electronic content filter located on the electronic multimedia creator server.” The “filter” also includes a very specific algorithm of “being based at least in part on at least one of the one or more user attributes to develop multimedia content to be electronically available for viewing on user devices.” Even more detail is provided by requiring “the identification of the submitter [be] maintained with each selected and retrieved submission within the multimedia content.” Here again, collectively, the level of detail included in this very particular and well-defined and unconventional subsystem makes clear that the claims include substantially more than an alleged abstract idea or merely performing an alleged abstract idea on a computer.

17. The claim also includes “an electronic release subsystem,” which is well defined and not conventional or routine. The claim defines how this subsystem is “operatively coupled to the electronic multimedia creator server subsystem.” The claim also defines the components of this subsystem as having “one or more data processing apparatus” and being particularly “configured to make the multimedia content electronically available for viewing on one of more user devices.” These details, collectively, also make this very particular and well-defined and unconventional subsystem substantially more than an abstract idea or performing an abstract idea on a computer.

18. The claim also requires “an electronic voting subsystem,” which is well-defined, specific, and unconventional. This claimed subsystem has “one or more data processing apparatus” and is specifically “configured to enable a user to electronic vote for or electronically rate an electronically available multimedia content or an electronic media submission within a respective electronically available multimedia content.”

19. Claim 1 is a specific and discrete implementation. For example, the claim requires an “electronic content filter” located at the server, remote from end users, and customizable based on user attributes. As another example, the “electronic voting subsystem” at the time of the invention was novel and inventive and added sufficient inventive contributions to avoid a risk of preempting creating and distributing media content. It is possible to create and distribute media content without ever having to include a “voting” subsystem on what components should be included in such media content. The detailed configuration “to enable a user to vote for or electronically rate an electronically available multimedia content or an electronic media submission within a respective electronically available multimedia content” has the level of particularity that avoids any risk of preemption.

20. Furthermore, the very particular and specifically configured “electronic media creator subsystem” not only provides a detailed and unique physical structure and interrelationship with other claimed components, but also includes a very specific configuration that is not conventional or routine. The claims make clear the interrelationship of the “electronic multimedia creator server subsystem” with respect to “the electronic media submission server subsystem” which must be “operatively coupled” thereto. The claims also provide detail on how the “electronic media creator subsystem” is “configured” “to select and retrieve a plurality of electronic media submissions from the electronic media submission database using an electronic

filter.” They also provide detail on how the “electronic filter” is “based at least in part on at least one of the one or more user attributes” and specifies that “the identification of the submitter is maintained with each selected and retrieved submission within the multimedia content.”

21. These arguments overcame a patent eligibility rejection under 35 U.S.C. §101 of the claim at issue during the prosecution of the ‘480 patent before the United States Patents and Trademark Office.

22. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing claim 1 of the ‘480 Patent in New York, and elsewhere in the United States, by employing a computer-based system using <https://soundcloud.com/> (“Accused Instrumentality”) (*e.g.*, <https://soundcloud.com/>).

23. Soundcloud uses a computer-based system for its Accused Instrumentality, to enable user-artists to create personalized Artist profiles containing multimedia content and publish multimedia content in the form of on-demand music tracks and/or music albums containing associated audio content, image content and textual content. The computer-based system further enables individual users of the Accused Instrumentality to create personalized user profiles and playlists having multimedia content (*e.g.*, image content, audio content, and textual content), as well as comment on on-demand music tracks. User-artist profiles, user profiles and playlists include multimedia content including audio content in the form of on-demand music tracks, and image and textual content (*e.g.*, a submitter’s profile picture and a caption, as well as an album cover) which may be shown to other users based on, *inter alia*, user preferences and attributes. On-demand music tracks and playlists containing multimedia content submitted by user-artists and users may also appear on a curated feed of other users, for example in the form of featured and/or top-ranked on-demand music tracks and playlists. Soundcloud, during the relevant time period,

took advantage of multiple cloud server providers for the Accused Instrumentality, as discussed above, as well as scalability within its cloud server providers, employing separate server subsystems for all its meaningfully different functions. Soundcloud uses, and has used during the relevant time period, numerous different networks and providers for, *inter alia*, content management systems, web servers, web hosting, data centers, proxy certificates, SSL certificates, traffic analysis, advertising, and tagging, thereby using separate server subsystems for all its meaningfully different functions, such as those indicated below.

The screenshot displays a YouTube video player interface. At the top, the YouTube logo and search bar are visible. Below the video player, the profile of 'Uppermost' is shown, including a profile picture, name, and location (France). The album 'Given by Nature' is featured, with a tracklist and play counts. The video title is 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You' by Charles Cleyn, with 150K subscribers and 118,988 views as of June 7, 2019. The video player controls and a progress bar are also visible.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the address bar showing "youtube.com/watch?v=j0PckZwtys0&t=226s". The YouTube interface includes a search bar, navigation tabs (Home, Stream, Library), and a search filter set to "independent music". The search results are displayed in a list format, with three items highlighted by a red rectangular border:

- Item 1:** A video by MARCELLI titled "Ne-Yo Miss Independent", uploaded 6 years ago. It features a waveform visualization and has 6,000 likes, 191 shares, and 578K views.
- Item 2:** A video by Uppermost titled "Independent", also uploaded 6 years ago. It features a waveform visualization and has 7,356 likes, 1,115 shares, and 519K views. A "#Electronic" tag is visible.
- Item 3:** A channel profile for "IndyDistro", described as "Independent Music Moving Forward" based in "San Francisco / United States". It has 781 subscribers and 783 posts.

Below the search results, the video player for the video "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn is visible. The video has 118,988 views and was posted on Jun 7, 2019. The channel name "Charles Cleyn" and "150K subscribers" are also shown.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

Adding Keywords and Song Information in SoundCloud

Creative & Productive  
722 subscribers

Subscribe

24 1 1 1

2,291 views Apr 6, 2018 [SEO for Music Licensing](#)

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

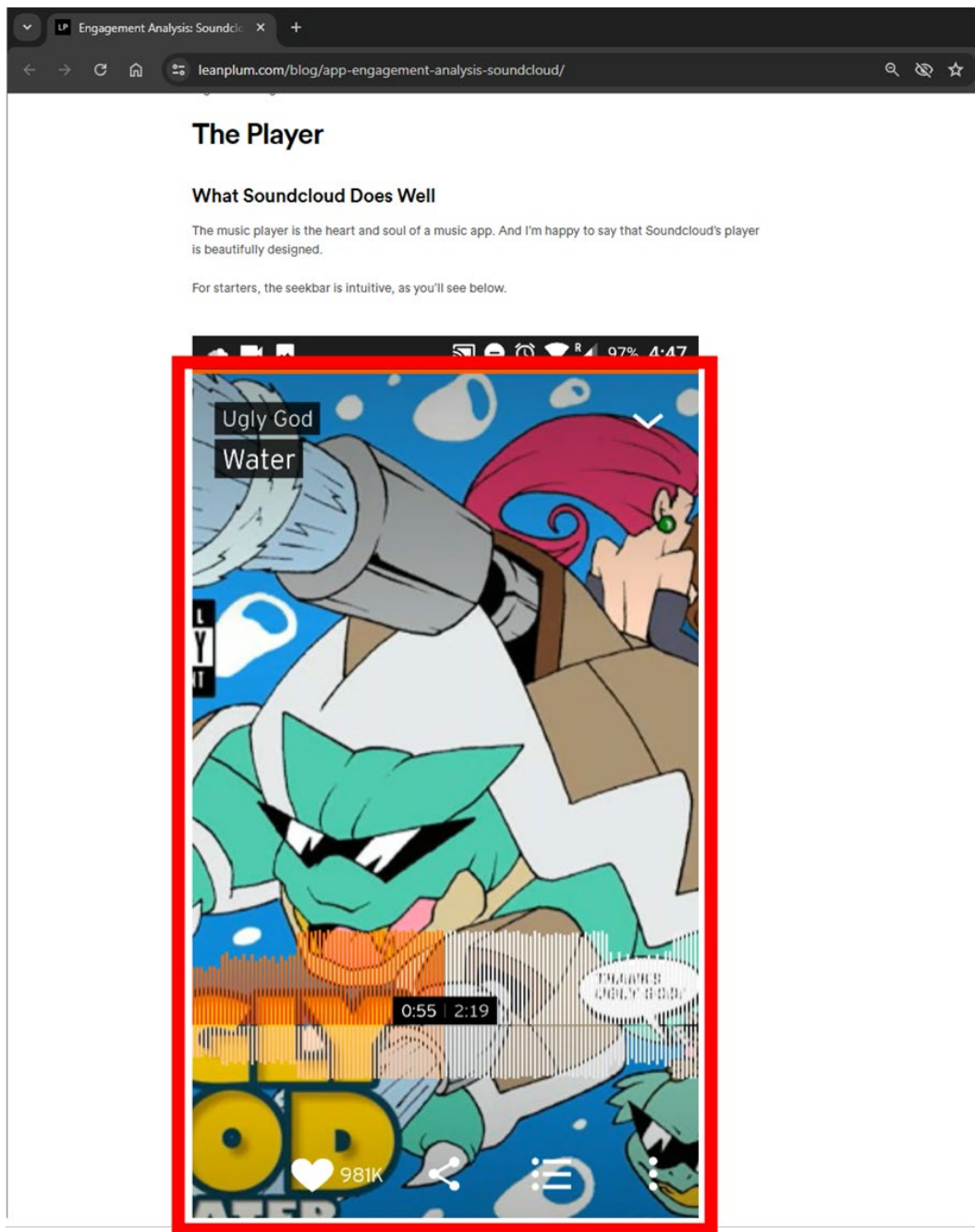
The screenshot shows a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track description is: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The tags listed are: #intense, #epic, #orchestral, #powerful, #drive, #strings, #brass, #trailer, #action, #adventure, #suspense, #aggressive, #woodkid, #chaotic, #bold, #brave, #confrontational, #dangerous, #determined, #reynolds, #army, #energy. There are two comments: one from Nesrine Hamidi at 1:53 saying "Mais il tue ce son, il donne la niak" and another from "You" at 1:53 saying "@nesrine-hamidi-596726487: haha contente qu'il te motive :)".

**Adding Keywords and Song Information in SoundCloud**

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722 subscribers

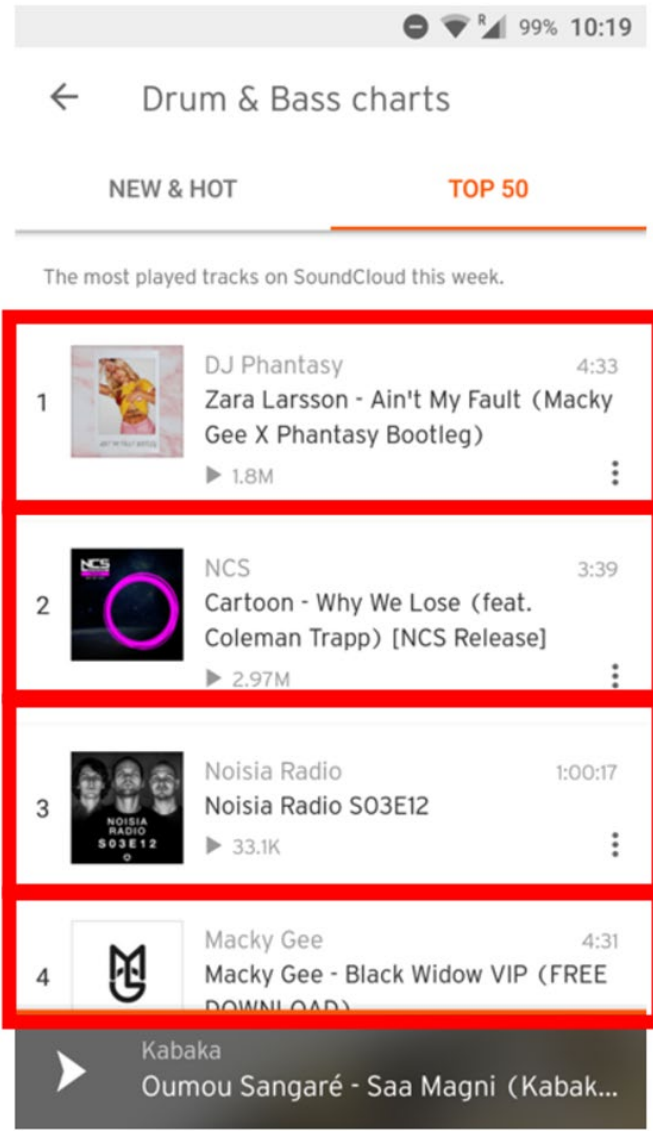
2,291 views Apr 6, 2018 SEO for Music Licensing

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

From a content perspective, the charts are also well designed.



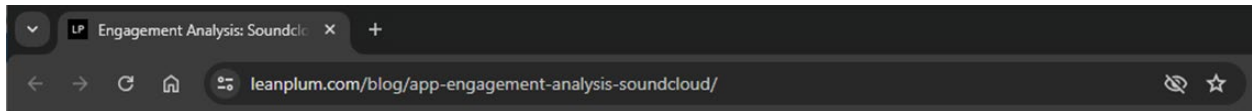
Drum & Bass charts

NEW & HOT TOP 50

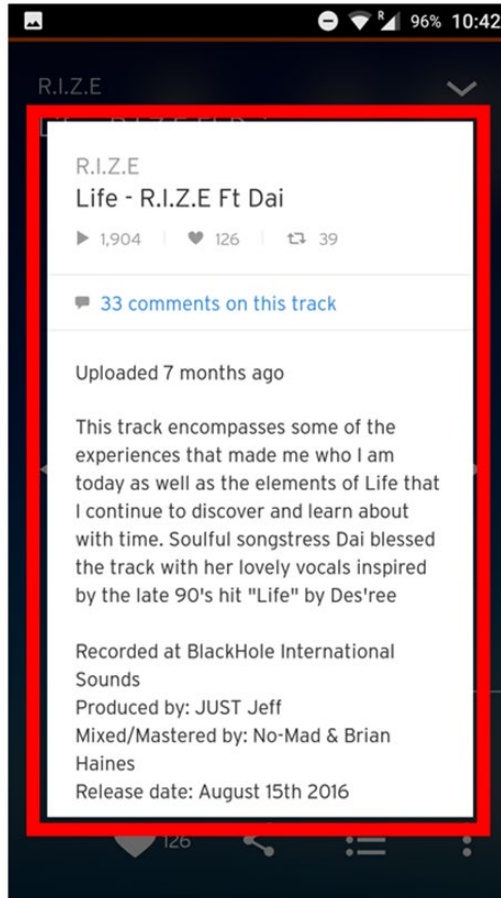
The most played tracks on SoundCloud this week.

Rank	Artist	Track Name	Duration	Plays
1	DJ Phantasy	Zara Larsson - Ain't My Fault (Macky Gee X Phantasy Bootleg)	4:33	1.8M
2	NCS	Cartoon - Why We Lose (feat. Coleman Trapp) [NCS Release]	3:39	2.97M
3	Noisia Radio	Noisia Radio S03E12	1:00:17	33.1K
4	Macky Gee	Macky Gee - Black Widow VIP (FREE DOWNLOAD)	4:31	
	Kabaka	Oumou Sangaré - Saa Magni (Kabak...)		

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



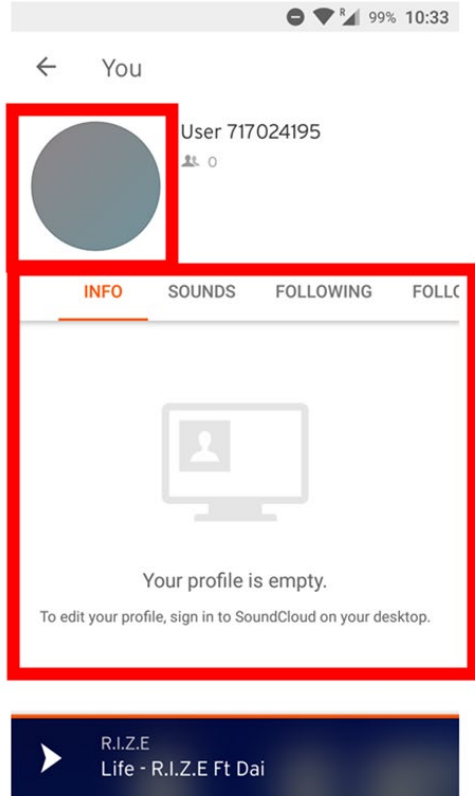
You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

emphasizing Soundcloud's brand color and the primary CTA of the screen.

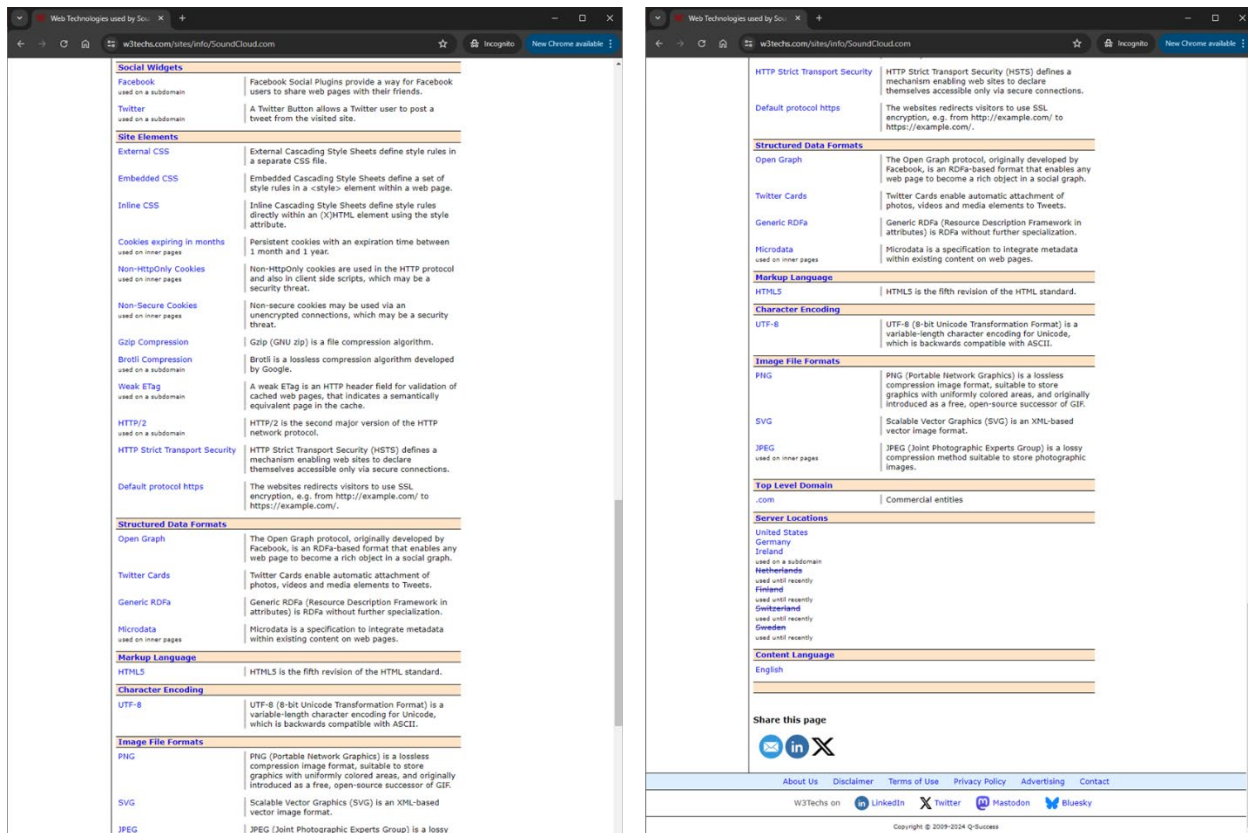
### One Way to Improve

The user profile on the Soundcloud app isn't bad, but it's missing one important feature.



The screenshot shows a mobile app interface for a user profile. At the top, there's a status bar with signal strength, Wi-Fi, 99% battery, and 10:33. Below that is a navigation bar with a back arrow and the text 'You'. The main content area is titled 'User 717024195' and shows a circular profile picture placeholder. Below the name are tabs for 'INFO', 'SOUNDS', 'FOLLOWING', and 'FOLLOWERS'. The 'INFO' tab is selected, showing a message: 'Your profile is empty. To edit your profile, sign in to SoundCloud on your desktop.' Below this is a music player for 'R.I.Z.E Life - R.I.Z.E Ft Dai'.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

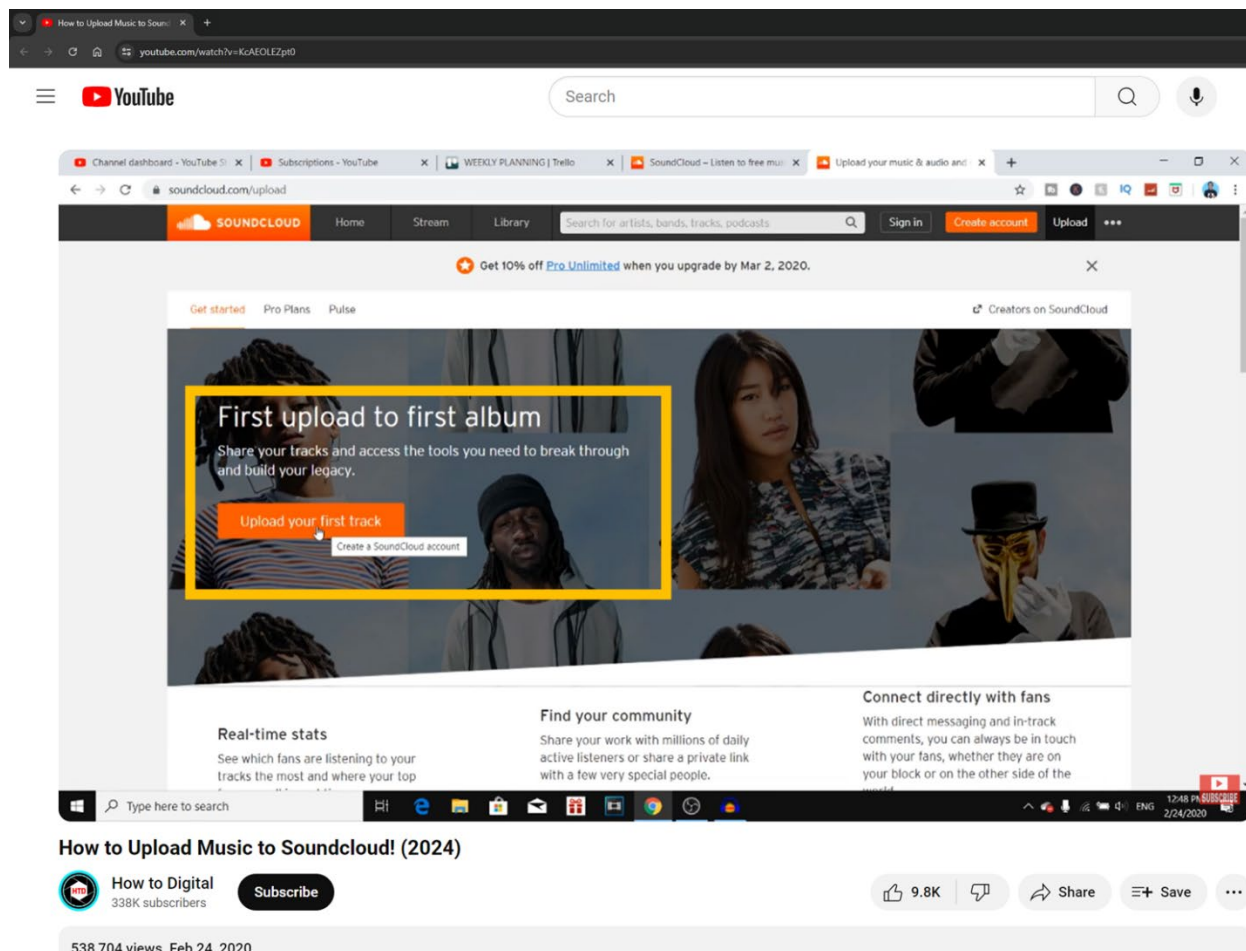


(E.g., <https://w3techs.com/sites/info/Soundcloud.com>).

24. The Accused Instrumentality includes an electronic media submissions server subsystem, having one or more data processing apparatus and an electronic media submissions database stored on a non-transitory medium in order to process and store received submissions from a plurality of users (such as user-artists and individual users), for example content pertaining to respective artist profiles, user profiles and on-demand music tracks and/or music albums submitted by user-artists on the Accused Instrumentality, as well as multimedia content to be displayed on one or both of the user's profile and the curated feed of other users in the form of featured and/or top-ranked on-demand music tracks and playlists, or music tracks and/or albums pertaining to a particular user-artist, as discussed and shown for example in connection with the above discussion. For example, the submissions pertaining to building a user profile and creating an album may include, e.g., photo, audio, and/or textual content. The submissions are provided to



the Accused Instrumentality via a submissions electronic interface, *e.g.*, a web-based content portal, accessible for example by logging in and selecting options to upload such content or import content, configured to receive such electronic media, from a plurality of submitters (*e.g.*, user-artists and individual users) over a public network (*e.g.*, the Internet) and stored, via an uploading process, in said electronic media submissions database for use in distribution to other users of the Accused Instrumentality.



(*E.g.*, <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

The screenshot shows a YouTube video player with a yellow border around the upload interface. At the top, it displays '0% of free uploads used' and a 'Try Pro Unlimited' button. The main area contains the text 'Drag and drop your tracks & albums here' and an orange button labeled 'or choose files to upload'. Below the button, there is a checkbox for 'Make a playlist when multiple files are selected' and a privacy selector set to 'Public'. At the bottom of the interface, it lists supported file types: 'Provide FLAC, WAV, ALAC, or AIFF for highest audio quality. Learn more about lossless HD.' The video player controls at the bottom show a progress bar at 0:59 / 2:33 and various icons for play, volume, and settings. Below the video player, the video title is 'How to Upload Music to Soundcloud! (2024)' by the channel 'How to Digital' (338K subscribers). The video has 9.8K likes, a share button, and a save button. The view count is 538,704 views, dated Feb 24, 2020.

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

The screenshot displays a YouTube video player. The video title is "How to Upload Music to Soundcloud! (2024)". The channel is "How to Digital" with 338K subscribers. The video has 9.8K likes and a share button. The video content shows the SoundCloud upload interface. A yellow box highlights the "Basic info" section of the form. The "Title" field contains the text "Choony Instrumental Spectrum Vlog No Copyright Music BwC BeY8BD0". The "Genre" dropdown is set to "None". The "Additional tags" field has the placeholder text "Add tags to describe the genre and mood of your track". The "Description" field has the placeholder text "Describe your track". The "Privacy" setting is set to "Public".

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

The screenshot shows a YouTube video player with a SoundCloud upload interface overlaid. The video title is "How to Upload Music to Soundcloud! (2024)". The interface includes a "Basic info" tab with fields for "Title\*" (containing "Name trck"), "Genre" (with a dropdown menu open showing options like "None", "Custom", "Alternative Rock", "Ambient", "Classical", "Country", "Dance & EDM", "Dancehall", "Deep House", "Disco", "Drum & Bass", "Dubstep", "Electronic"), and a description field. The video has 9.8K likes, 538,704 views, and was posted on Feb 24, 2020. The channel is "How to Digital" with 338K subscribers.

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

Adding Keywords and Song Information in SoundCloud

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722 subscribers

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Save

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(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

**Adding Keywords and Song Information in SoundCloud**

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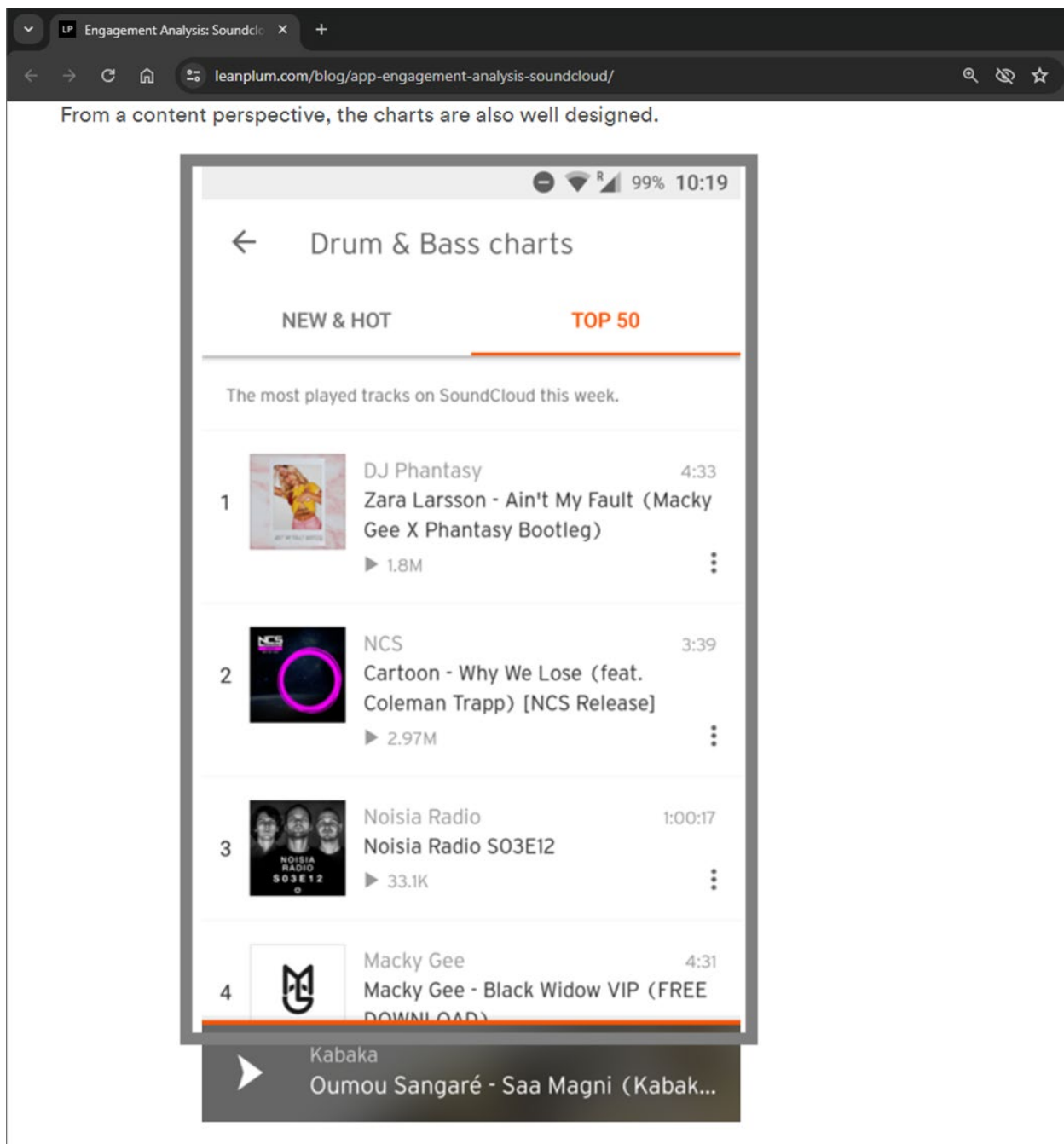
(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a YouTube video player interface. At the top, the browser address bar displays the URL: [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The YouTube logo and search bar are visible. The video content features a profile for 'Uppermost' from France, with a circular profile picture of a man. Below the profile, there are tabs for 'All', 'Tracks', 'Albums', 'Playlists', and 'Reposts'. The 'Playlists' tab is active, showing an album titled 'Given by Nature (Album)' by Uppermost, released 9 months ago, with a '#Electronic' tag. A waveform visualization is shown below the album title. A list of tracks is displayed with their respective view counts:

Track Name	View Count
1 Given by Nature	17.6K
2 Echoes of Mystery	14.5K
3 Love Runway	17.8K
4 Under Control	12.6K
5 Through The Pain	12.7K

To the right of the track list, there are statistics for the channel: 84.9K Followers, 70 Following, and 226 Tracks. Below these are social media links for Spotify, Instagram, YouTube, and Songkick, along with 52 likes and a 'View all' link. At the bottom of the video player, the video title is 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You' by Charles Cleyn (150K subscribers). The video has 118,988 views and was posted on Jun 7, 2019. The video player includes like, comment, share, and save buttons.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

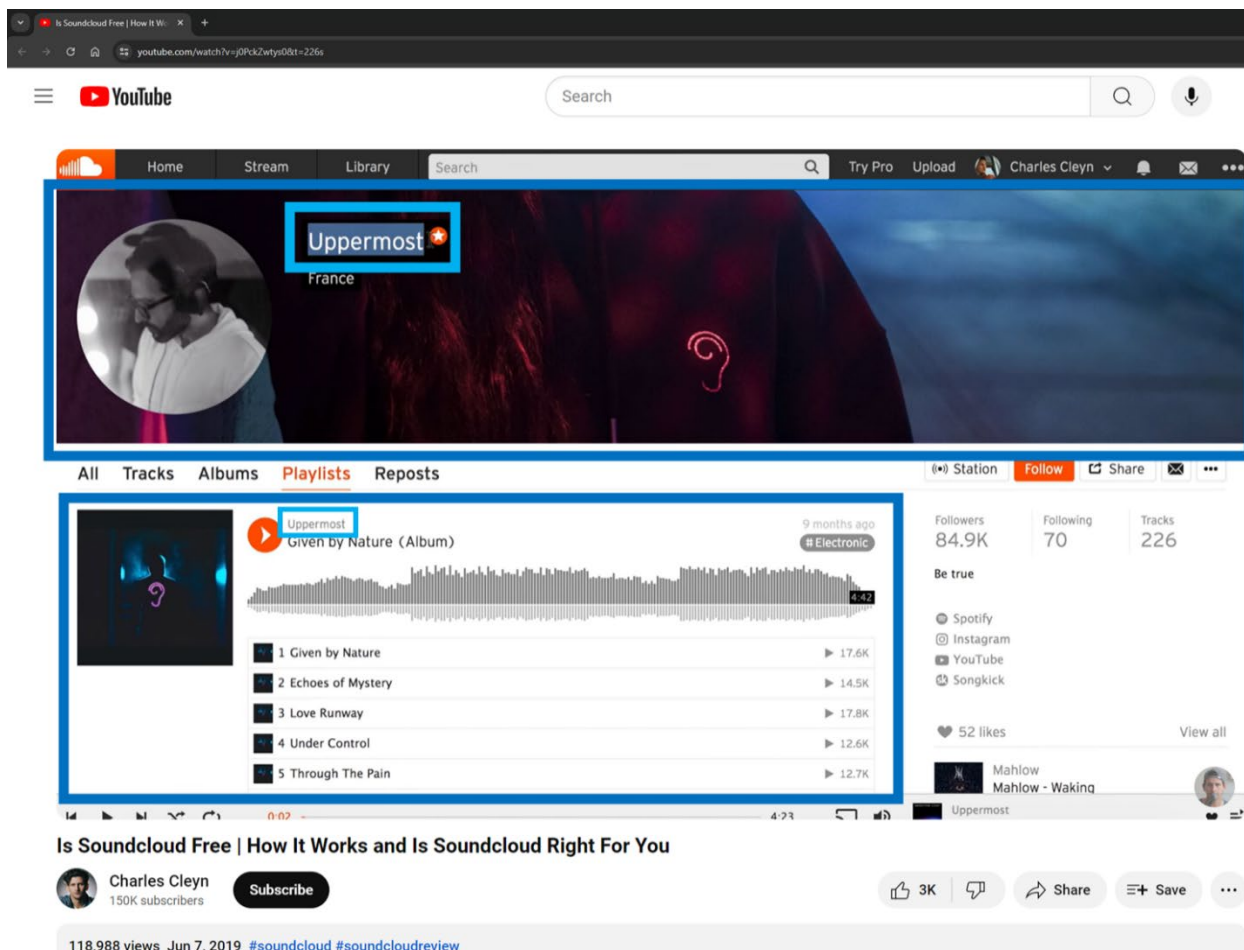


(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

25. The electronic media submissions database of the Accused Instrumentality used by Soundcloud which stores the submissions further stores data identifying the submitter and data indicating content for each electronic media submission. As shown below, data identifying the



user (submitter) includes, *e.g.*, a name. Data indicating content for each electronic media submission includes photo, audio and/or textual content.



(*E.g.*, <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the address bar showing "youtube.com/watch?v=j0PckZwtys0&t=226s". The YouTube interface includes a search bar, navigation tabs (Home, Stream, Library), and a search filter set to "independent music". The search results are displayed in a list format, with three items highlighted by a blue border:

- MARCELLI**: "Ne-Yo Miss Independent", 6 years ago, 6,000 likes, 191 shares, 578K views, 14 comments.
- Uppermost**: "Independent", 6 years ago, 7,356 likes, 1,115 shares, 519K views, 217 comments, #Electronic.
- IndyDistro**: "Independent Music Moving Forward", San Francisco / United States, 781 followers, 783 posts.

Below the search results, the video player shows the video "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn, with 118,988 views and a "Subscribe" button.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube video player. The video title is "Battle of the Lords" by Mad Lass Music, uploaded 7 months ago. The video player includes a waveform and a comment section. The comment section features a video thumbnail with the text "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." Below the comment section is a subscribe button for the channel "Creative & Productive" (722 subscribers). The video player also shows 24 likes, a share button, and a save button. The video has 2,291 views and was posted on April 6, 2018. The video player includes a title, a waveform, a comment section, and a subscribe button for the channel "Creative & Productive".

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track description reads: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The track has 134 likes and 55 reposts. A comment by Nesrine Hamid at 1:53 says "Mais il tue ce son, il donne la niak". Another comment by "You" at 1:53 says "@nesrine-hamidi-596726487: haha contente qu'il te motive :)". The page also features a "Scheduled Releases" section and a "Related tracks" section.

**Adding Keywords and Song Information in SoundCloud**

Creative & Productive  
722 subscribers

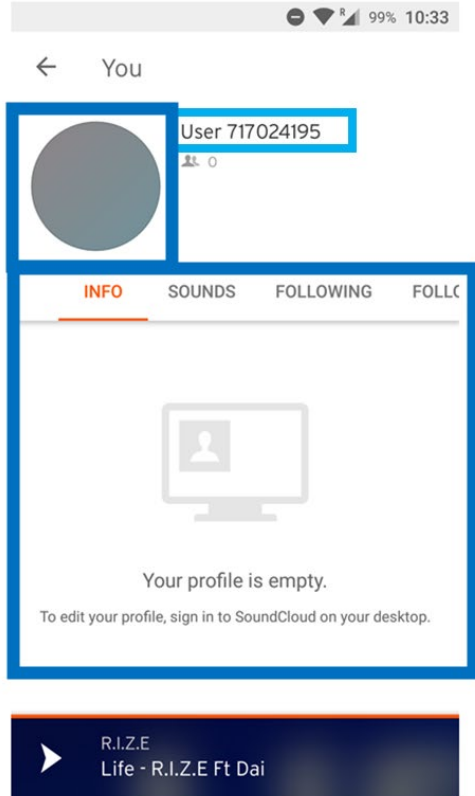
2,291 views Apr 6, 2018 SEO for Music Licensing

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emphasizing Soundcloud's brand color and the primary CTA of the screen.

## One Way to Improve

The user profile on the Soundcloud app isn't bad, but it's missing one important feature.

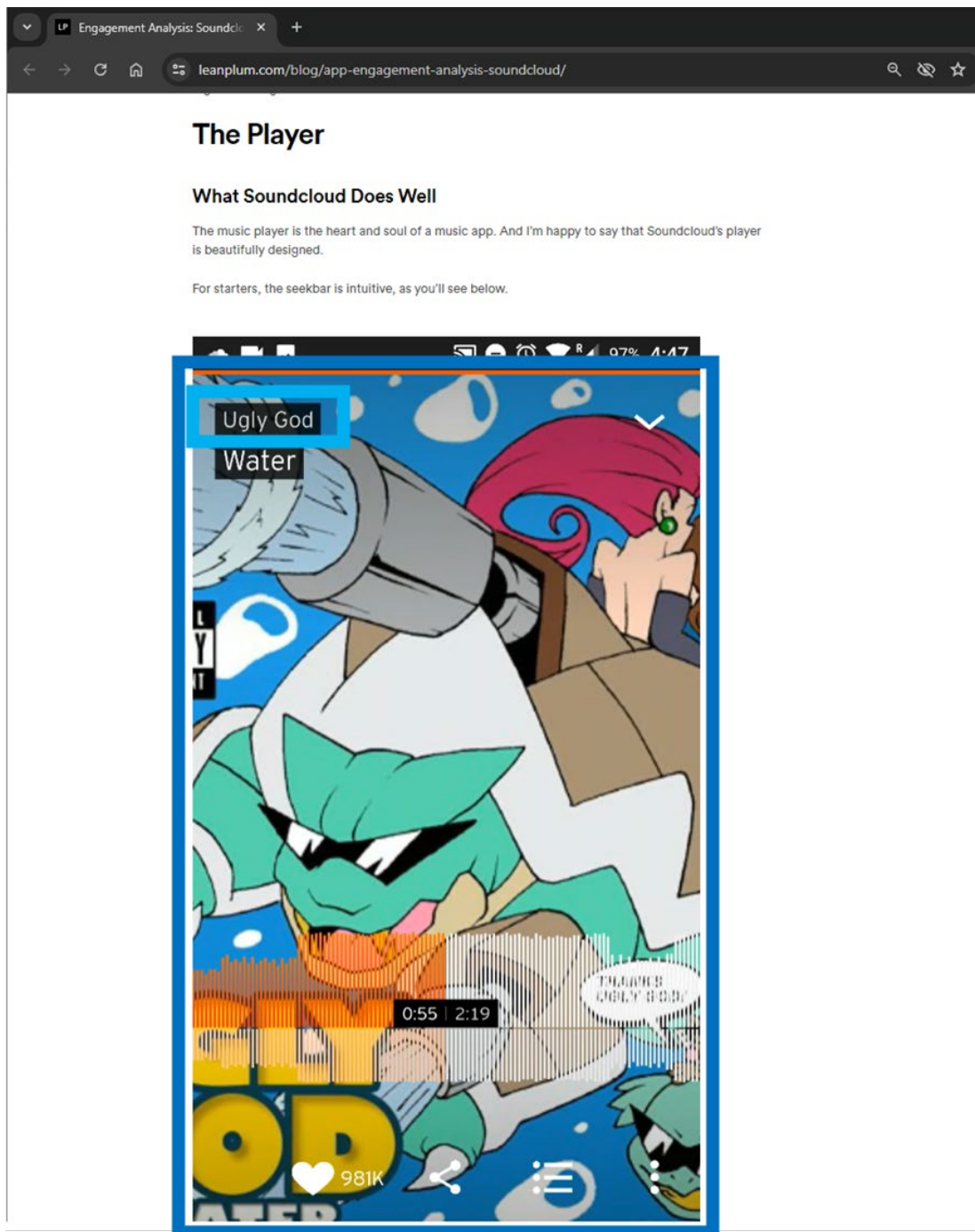


The screenshot shows a mobile interface for a user profile. At the top, there's a status bar with signal strength, Wi-Fi, 99% battery, and the time 10:33. Below that is a navigation bar with a back arrow and the text 'You'. The profile header shows a circular profile picture placeholder and the name 'User 717024195' with a small '0' below it. Below the header are four tabs: 'INFO' (highlighted in orange), 'SOUNDS', 'FOLLOWING', and 'FOLLOWERS'. The main content area shows a large monitor icon with a person silhouette, and the text 'Your profile is empty. To edit your profile, sign in to SoundCloud on your desktop.' At the bottom, there's a music player for 'R.I.Z.E Life - R.I.Z.E Ft Dai' with a play button.

I would have gladly changed my name from User 717024195, but I guess that's not possible on mobile!

In Soundcloud's defense, this is probably more a technical issue than a UX issue. And the rest of the user profile is easy to navigate, with tabs removing the need to tap to a new screen.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

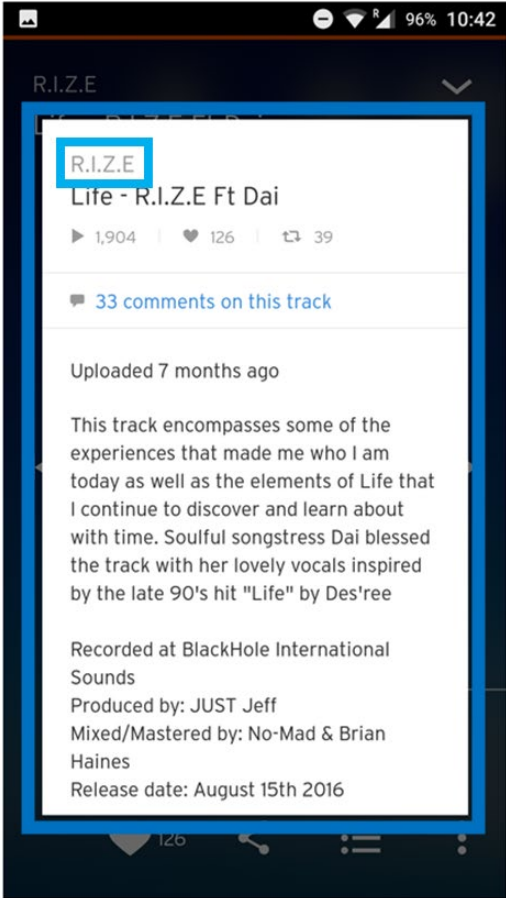


(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

LP Engagement Analysis: Soundcloud X +

leanplum.com/blog/app-engagement-analysis-soundcloud/

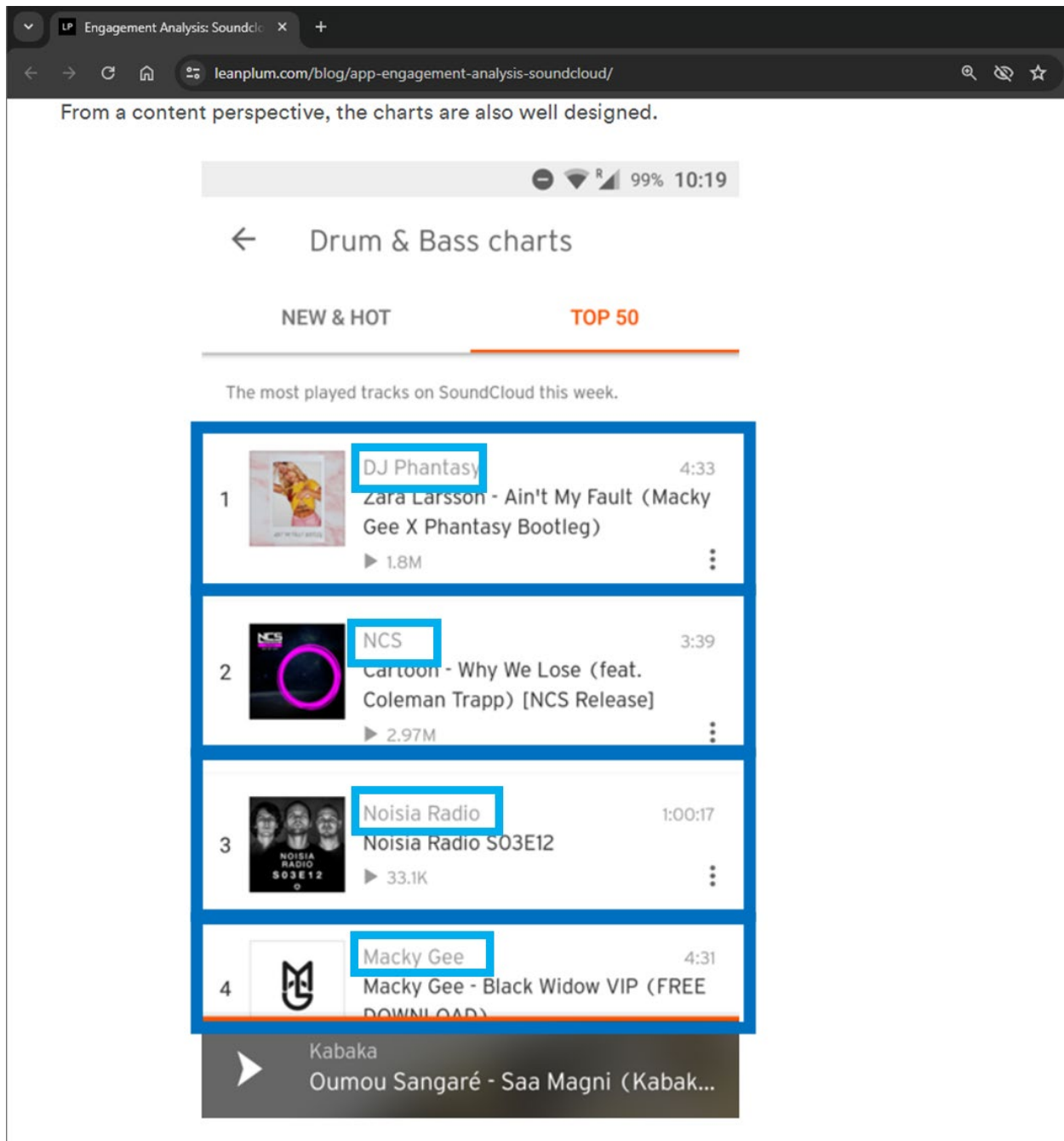
Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



The screenshot shows a mobile application interface for a SoundCloud track. The track is titled "Life - R.I.Z.E Ft Dai" by the artist "R.I.Z.E". The interface includes a play button, 1,904 plays, 126 likes, and 39 shares. Below the track information, there are 33 comments. The track was uploaded 7 months ago. The description reads: "This track encompasses some of the experiences that made me who I am today as well as the elements of Life that I continue to discover and learn about with time. Soulful songstress Dai blessed the track with her lovely vocals inspired by the late 90's hit 'Life' by Des'ree". Production credits include: Recorded at BlackHole International Sounds, Produced by: JUST Jeff, Mixed/Mastered by: No-Mad & Brian Haines, and Release date: August 15th 2016. The artist's name "R.I.Z.E" is highlighted with a blue box in the screenshot.

You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

26. Individual user-artists can create an artist profile, publish on-demand music tracks and compile albums on Soundcloud's Accused Instrumentality, which are stored in a user database stored in memory. Artist accounts, albums, and on-demand music tracks are available to other users through the Accused Instrumentality, for example as discussed above. The user attributes of



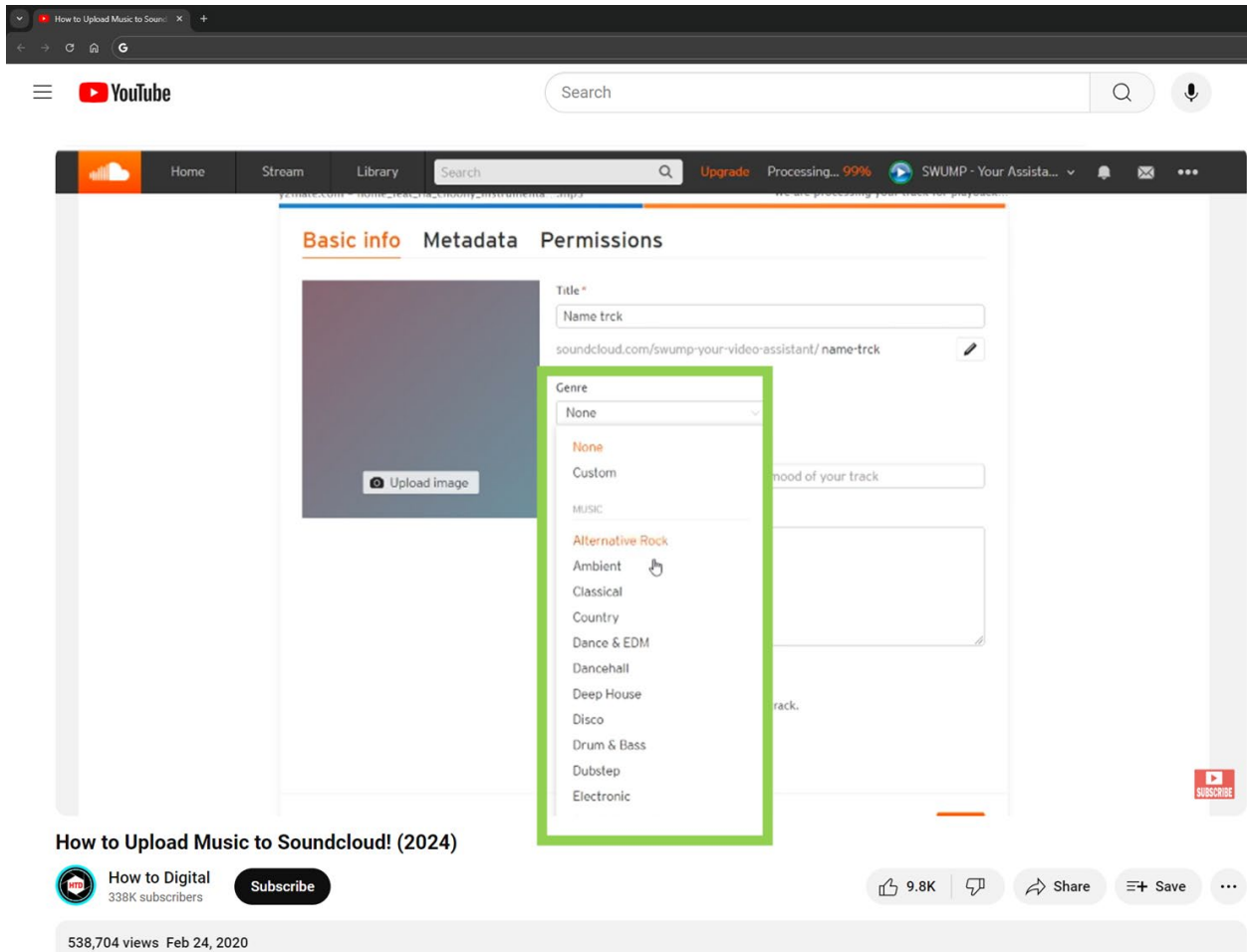
user-artists and users who create a profile and/or publish on-demand music tracks and compile albums include, *e.g.*, the genre of the on-demand music track and/or the album or artist (such as Alternative Rock, Ambient, Classical, EDM and the like), audio type (such as Audiobooks, Business, Comedy and the like), as well as tags associated with the on-demand music track and/or the album or artist, and the like as shown for example below.

The screenshot displays a YouTube video player with a SoundCloud upload interface overlaid. The video title is "How to Upload Music to Soundcloud! (2024)" by the channel "How to Digital" (338K subscribers). The upload form shows the following details:

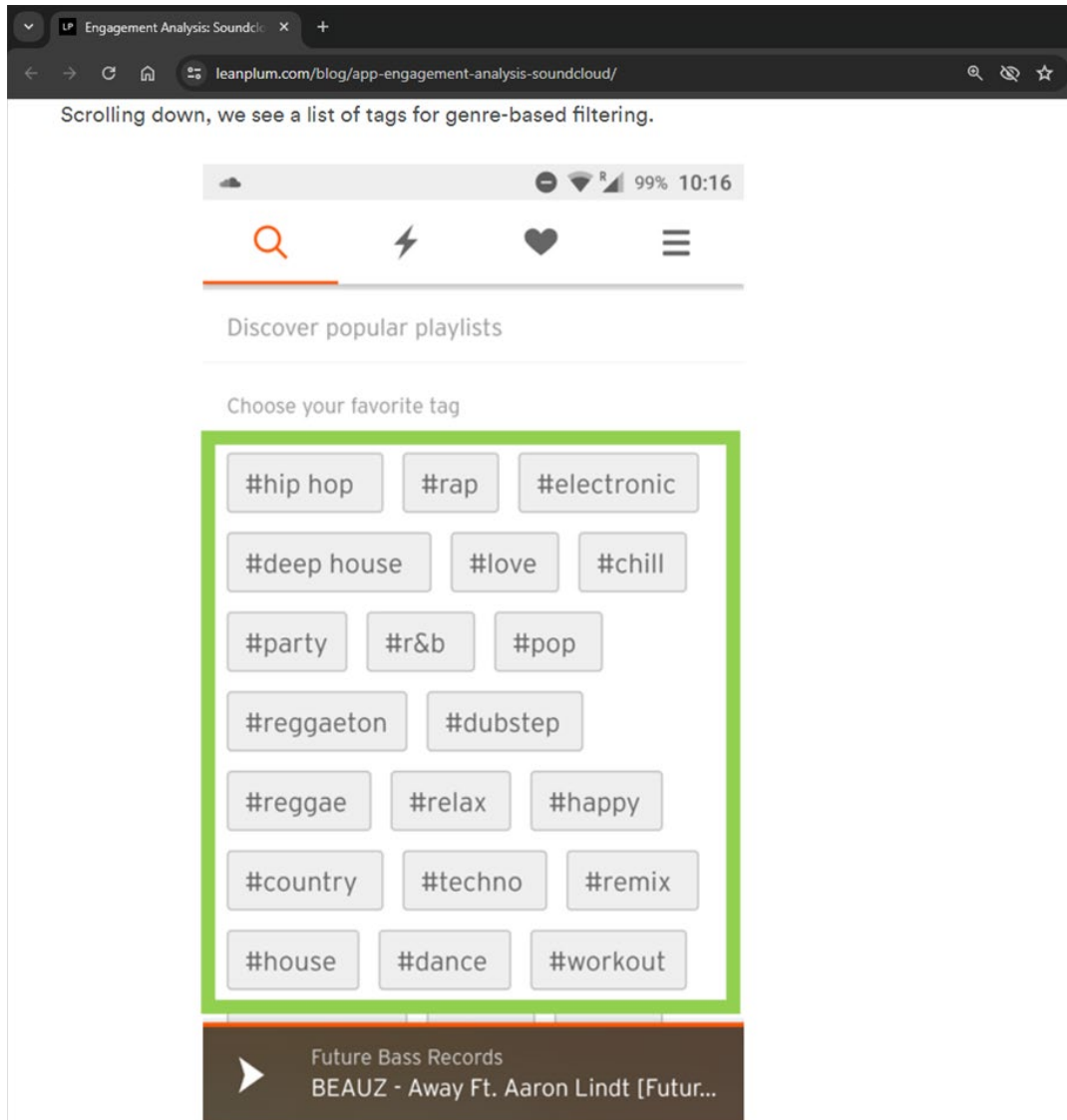
- Title:** Choony Instrumental Spectrum Vlog No Copyright Music BwC BeY8D0C
- Genre:** None
- Additional tags:** Add tags to describe the genre and mood of your track
- Description:** Describe your track
- Privacy:** Public (Anyone will be able to listen to this track)

The video player shows 9.8K likes, 538,704 views, and was posted on Feb 24, 2020.

(*E.g.*, <https://www.youtube.com/watch?v=KcAEOLEZpt0>).



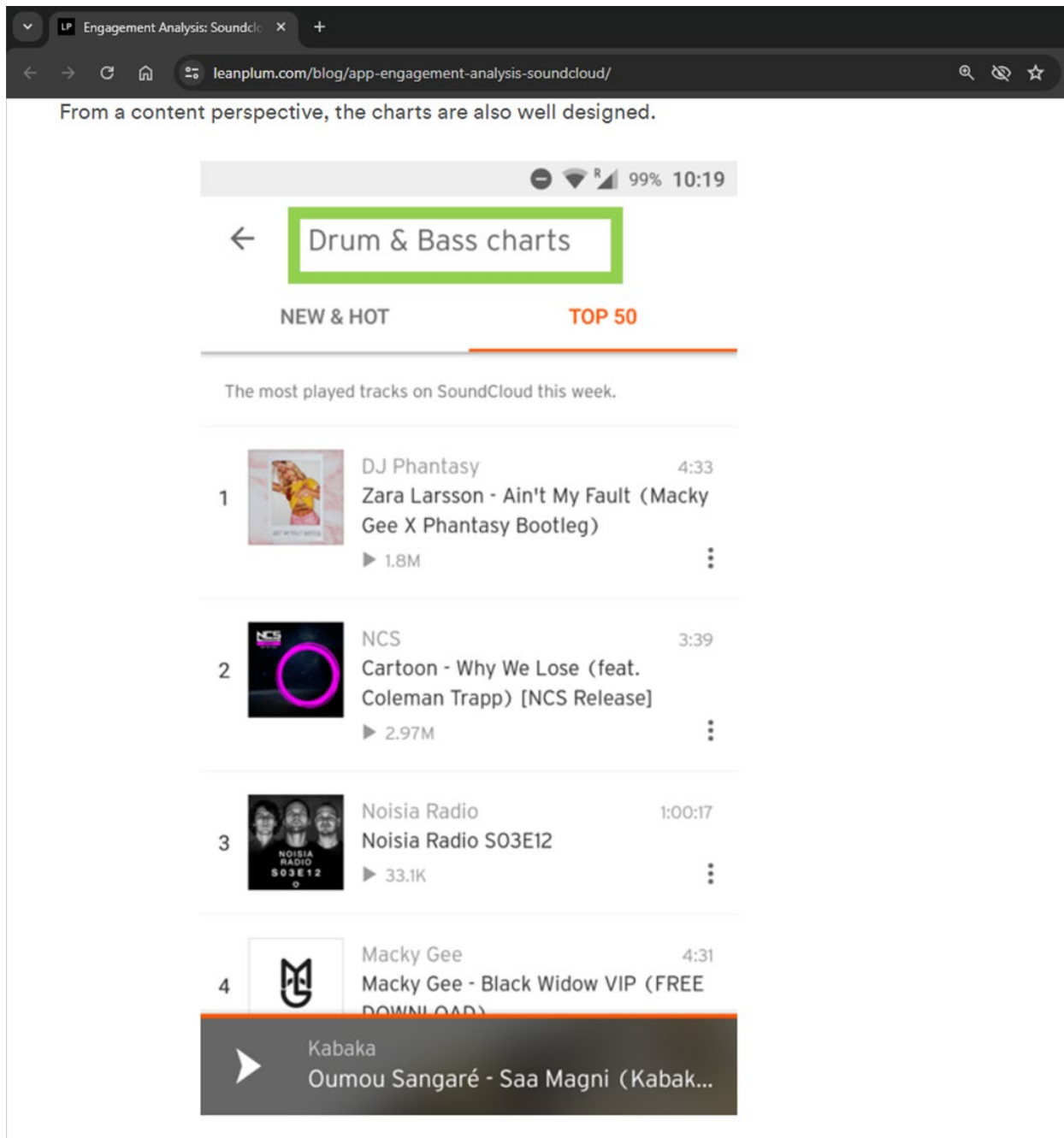
(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).



Visually, I quite like how this part of the screen is laid out. Text is a design element in itself, and this screen works despite the lack of graphics. The text for the tags is noticeably bigger than the rest, making the layout skimmable.

From a content perspective, the charts are also well designed.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

The screenshot displays a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track is currently in the "Basic info" tab of the metadata editor. The title is "Battle of the Lords" and the URL is "soundcloud.com/madlassmusic/battle-of-the-lords". A dropdown menu for "Genre" is open, showing a list of categories: Soundtrack, Reggae, Reggaeton, Rock, Techno, Trance, Trap, Triphop, World, AUDIO, Audiobooks, Business, Comedy, Entertainment, and Learning. The "Soundtrack" option is highlighted. The track has 2,291 views and was released on April 6, 2018. The artist's name is "Creative & Productive" with 722 subscribers. The track is titled "Joke" and features a cover image with the text "THE BEASTS".

**Adding Keywords and Song Information in SoundCloud**

2,291 views Apr 6, 2018 [SEO for Music Licensing](#)

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

Adding Keywords and Song Information in SoundCloud

Creative & Productive  
722 subscribers

Subscribe

24

Share

Save

2,291 views Apr 6, 2018 SEO for Music Licensing

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

Adding Keywords and Song Information in SoundCloud

Creative & Productive  
722 subscribers

2,291 views Apr 6, 2018 SEO for Music Licensing

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a YouTube video player interface. At the top, the browser address bar displays the URL: [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The YouTube logo and search bar are visible. The video content features a profile for 'Uppermost' from France, with a circular profile picture and a background image of a person with a glowing ear icon. Below the profile, there are navigation tabs for 'All', 'Tracks', 'Albums', 'Playlists', and 'Reposts'. The 'Playlists' tab is active, showing a playlist titled 'Given by Nature (Album)' with a green '#Electronic' tag. The playlist includes a waveform and a list of tracks with their respective play counts:

Track Name	Play Count
1 Given by Nature	17.6K
2 Echoes of Mystery	14.5K
3 Love Runway	17.8K
4 Under Control	12.6K
5 Through The Pain	12.7K

On the right side of the video player, there are statistics: 84.9K Followers, 70 Following, and 226 Tracks. Below these are social media links for Spotify, Instagram, YouTube, and Songkick, along with 52 likes. A video player control bar is visible at the bottom of the video frame, showing a progress bar at 0:02 and a video title 'Mahlow - Waking'.

Below the video player, the video title is 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You'. The video is by 'Charles Cleyn' (150K subscribers) and has 118,988 views, dated Jun 7, 2019. The video description includes the hashtags #soundcloud and #soundcloudreview. Interaction buttons for 'Like' (3K), 'Comment', 'Share', and 'Save' are present.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



The screenshot displays a YouTube search results page for the query "independent music". The interface includes a search bar at the top, navigation tabs (Home, Stream, Library), and a search filter menu on the left with options like "Everything", "SoundCloud Go+ tracks", "Tracks", "People", "Albums", and "Playlists".

Search results for "independent music" are shown below the filter menu. The first result is by MARCELLI, titled "Ne-Yo Miss Independent", posted 6 years ago, with 6,000 likes, 191 retweets, and 578K views. The second result is by Uppermost, titled "Independent", with 7,356 likes, 1,115 retweets, and 519K views. A "#Electronic" tag is visible on the Uppermost result.

Below the search results is a channel profile for "IndyDistro", described as "Independent Music Moving Forward" based in San Francisco, United States, with 781 members and 783 videos.

At the bottom of the screenshot is a video player for the video "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn, who has 150K subscribers. The video has 118,988 views and was posted on Jun 7, 2019. The video player shows a progress bar at 0:02 and a video thumbnail.

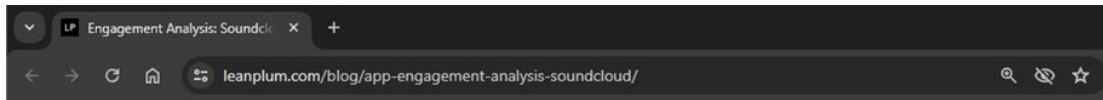
(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

27. The Accused Instrumentality employs an electronic multimedia creator server subsystem operatively coupled to the electronic media submissions server subsystem, necessarily having one or more data processing apparatus in order to manage content, and an electronic creator multimedia database stored on a non-transitory medium, configured to select and retrieve a plurality of electronic media submissions (e.g., on-demand music tracks, user-artist and user profiles and albums with associated photo content, textual content and audio content associated with the user-artist or user (submitter)) from the electronic media submissions database using an electronic content filter located on the electronic multimedia creator server. For example, with respect to an user-artist and associated on-demand music tracks and/or albums, as can be seen

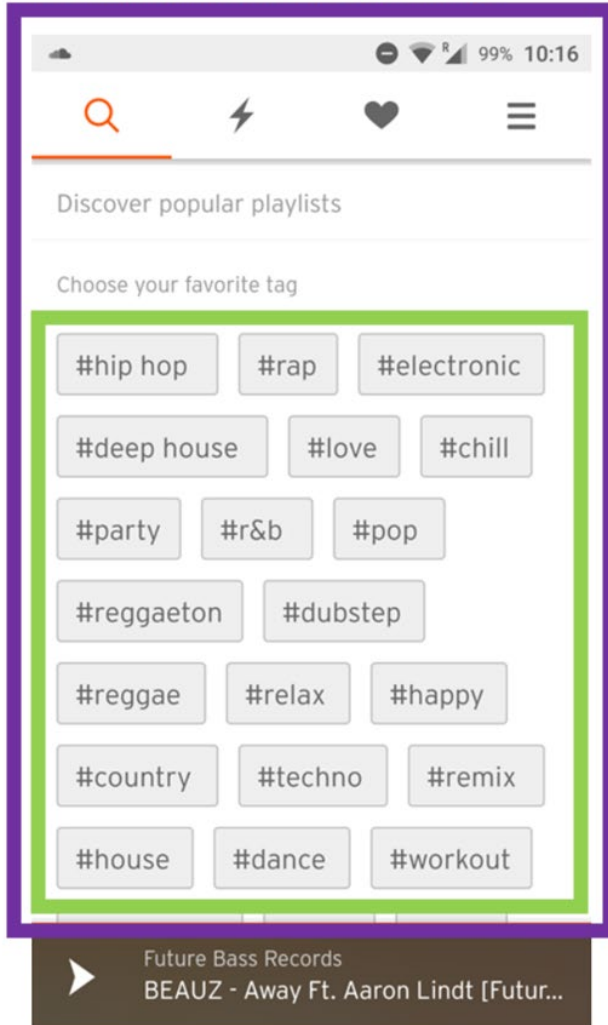
below, such electronic content filter as is used by Soundcloud is based at least in part on at least one of the one or more user attributes, (e.g., based on, *inter alia*, genre of the on-demand music track and/or the album or artist (such as Alternative Rock, Ambient, Classical, EDM and the like), audio type (such as Audiobooks, Business, Comedy and the like), as well as tags associated with the on-demand music track and/or the album or artist) which in turn affect which electronic media submissions, e.g., user-artist profiles and associated on-demand music tracks and/or albums, appear to the user as shown and discussed for example below. Soundcloud uses function-specific subsystems, for example as shown below.

The screenshot shows a YouTube search results page for the query "independent music". The page features a navigation menu on the left with options like "Everything", "SoundCloud Go+ tracks", "Tracks", "People", "Albums", and "Playlists". The search results include two music tracks: "Ne-Yo Miss Independent" by MARCELLI (uploaded 6 years ago) and "Uppermost Independent" by Uppermost. The "Uppermost Independent" track has a green box highlighting the "#Electronic" tag. Below the tracks is the profile for "IndyDistro", an independent music channel based in San Francisco. At the bottom of the page, there is a video player for a video titled "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn, which has 118,988 views and was posted on Jun 7, 2019.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



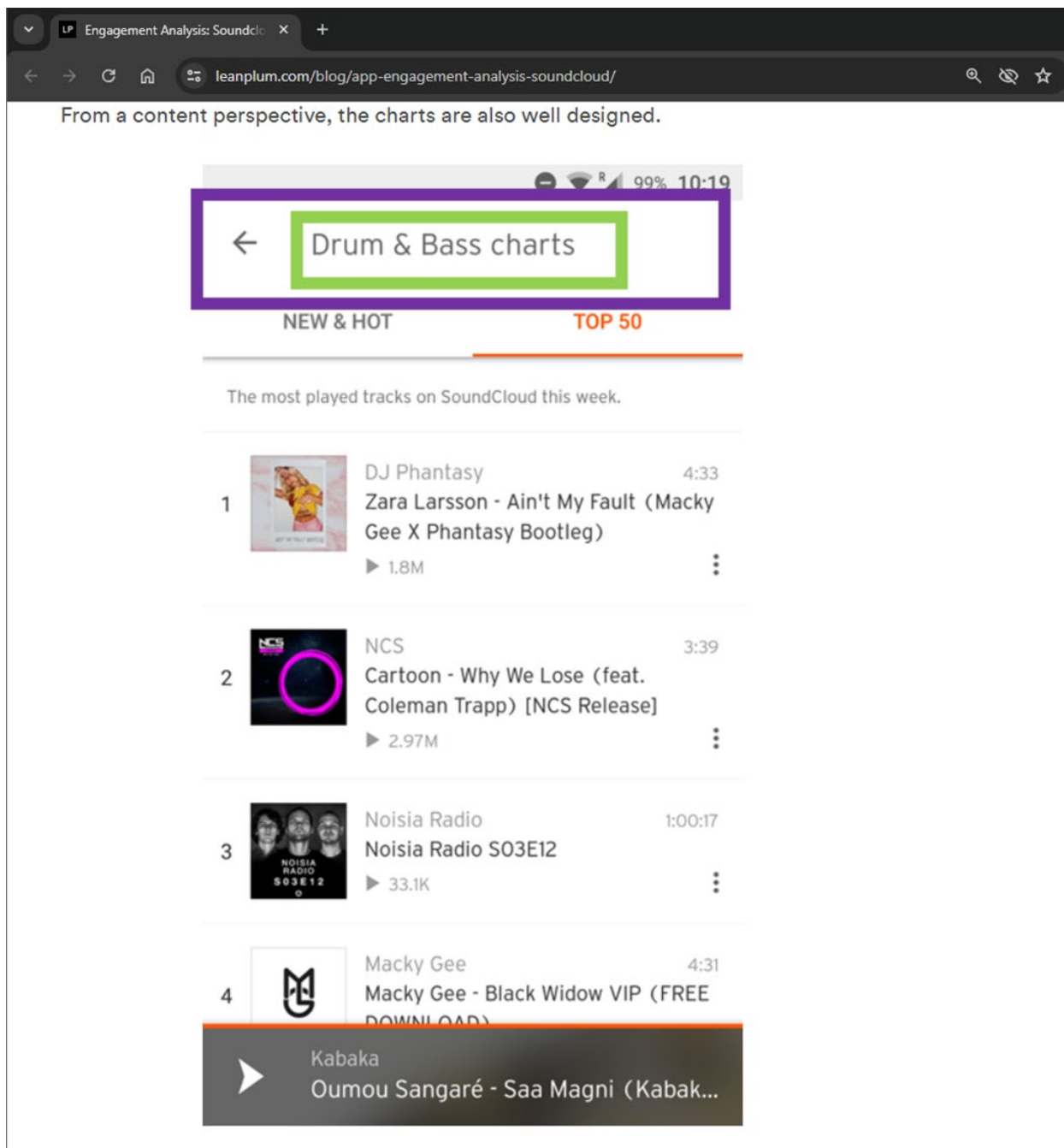
Scrolling down, we see a list of tags for genre-based filtering.



Visually, I quite like how this part of the screen is laid out. Text is a design element in itself, and this screen works despite the lack of graphics. The text for the tags is noticeably bigger than the rest, making the layout skimmable.

From a content perspective, the charts are also well designed.

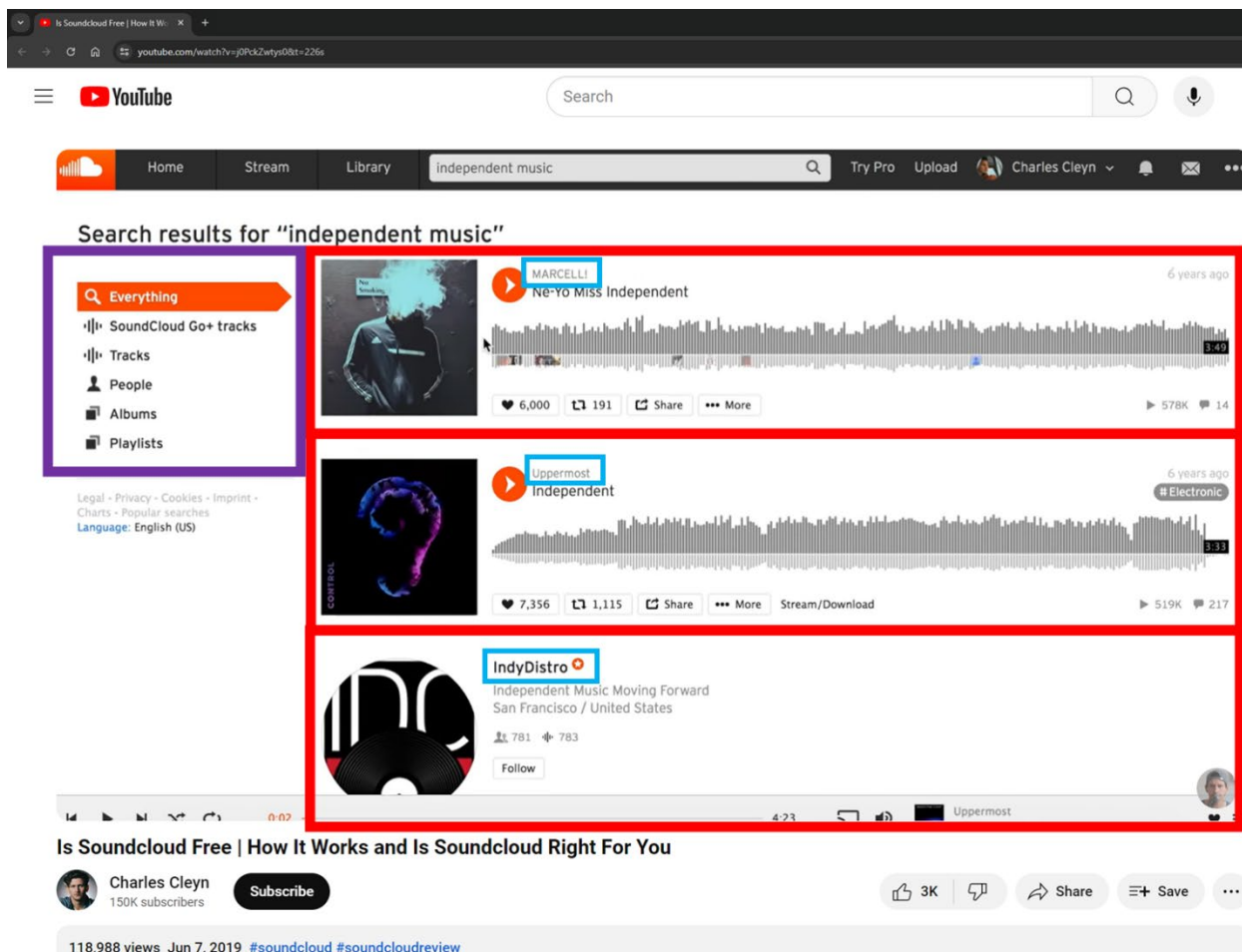
(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



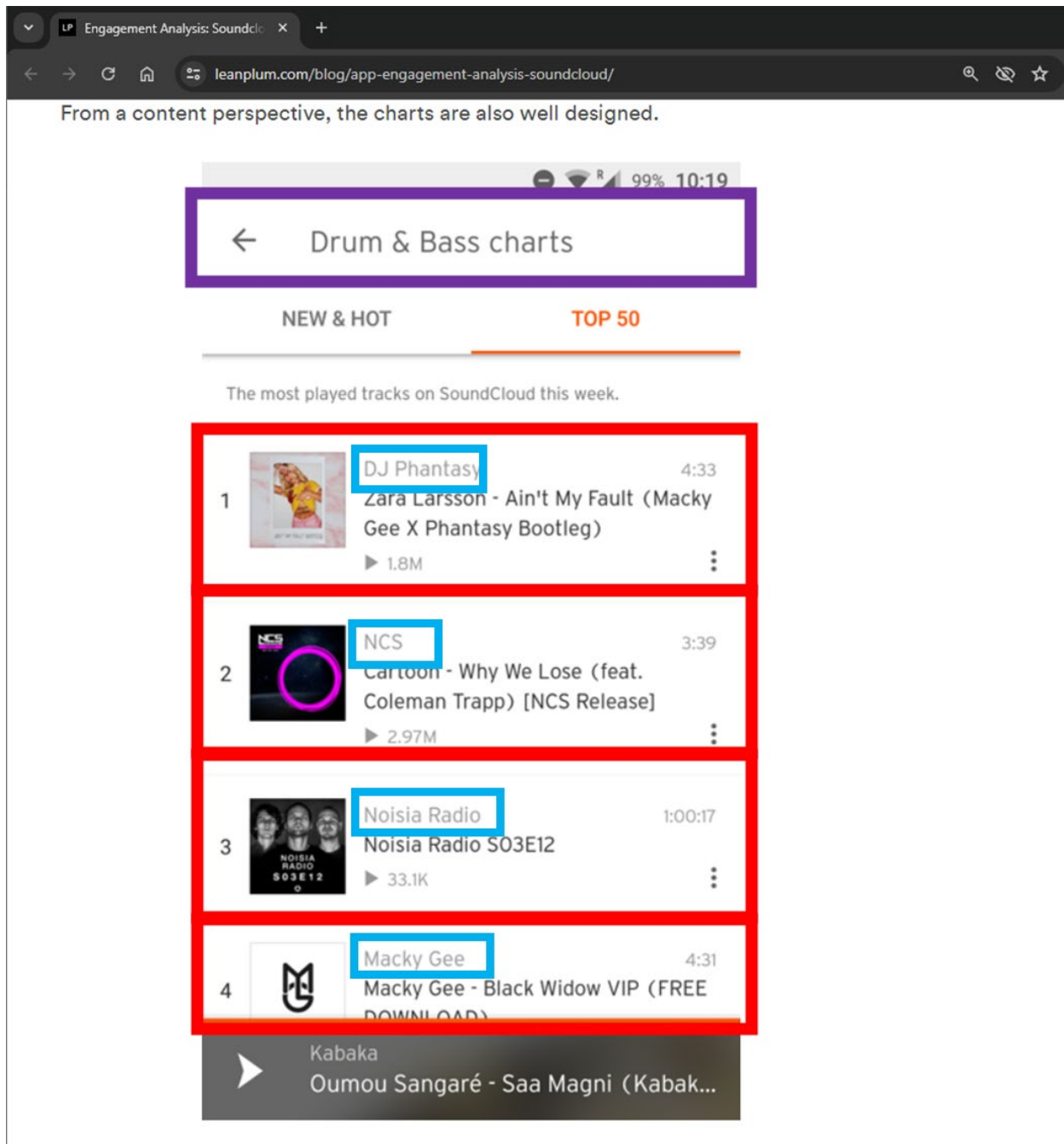
(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

28. Such electronic content filter is used by the Accused Instrumentality to develop multimedia content (e.g., the profiles and/or various content as discussed above) associated with the user (submitter) to be electronically available for viewing on user devices (e.g., devices such as computers and smart phones incorporating browsers or apps) wherein the identification of the

submitter (e.g., a user's name) is maintained with each selected and retrieved submission within the multimedia content, for example, as shown below.



(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

29. The Accused Instrumentality employs an electronic release subsystem operatively coupled to the electronic multimedia creator server subsystem, necessarily having one or more data processing apparatus in order to serve multimedia profile and/or post content with associated photo, profile picture, and textual content to users, configured to make the multimedia content

electronically available for viewing on one or more user devices. For example, as shown below, multimedia content associated with artist profiles, music tracks and albums are provided on various user devices (e.g., a computer or other device with a web browser or app) in response to a user logging in to the Accused Instrumentality. Soundcloud uses function-specific subsystems, for example as shown below.

The screenshot displays a YouTube video player interface. At the top, the YouTube logo and search bar are visible. Below the navigation bar, the video player shows the profile of the artist 'Uppermost' from France. The video content features a waveform visualization of music tracks. A red rectangular box highlights the artist's profile information and the album 'Given by Nature' (Album), which is categorized as 'Electronic' and released 9 months ago. The album tracks and their play counts are listed below:

Track Number	Track Name	Play Count
1	Given by Nature	17.6K
2	Echoes of Mystery	14.5K
3	Love Runway	17.8K
4	Under Control	12.6K
5	Through The Pain	12.7K

Below the album information, the video player shows the video title 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You' by Charles Cleyn, with 150K subscribers and a 'Subscribe' button. The video has 118,988 views and was posted on Jun 7, 2019. The video player controls and social sharing options are visible at the bottom.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the address bar showing "youtube.com/watch?v=j0PckZwtys0&t=226s". The YouTube interface includes a search bar, navigation tabs (Home, Stream, Library), and a search filter set to "independent music". The search results are displayed in a list format, with three items highlighted by a red border:

- Item 1:** "Ne-Yo Miss Independent" by MARCELLI, uploaded 6 years ago. It has 6,000 likes, 191 retweets, and 578K views. The video duration is 3:42.
- Item 2:** "Independent" by Uppermost, uploaded 6 years ago. It has 7,356 likes, 1,115 retweets, and 519K views. The video duration is 1:31. A "#Electronic" tag is visible.
- Item 3:** "IndyDistro", a channel profile for "Independent Music Moving Forward" based in San Francisco, United States. It has 781 subscribers and 783 videos.

Below the search results, the video player for "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" is visible, featuring a channel profile for Charles Cleyn (150K subscribers) and a "Subscribe" button. The video has 118,988 views and was posted on Jun 7, 2019. The video player interface shows a progress bar at 0:02 and a volume icon.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



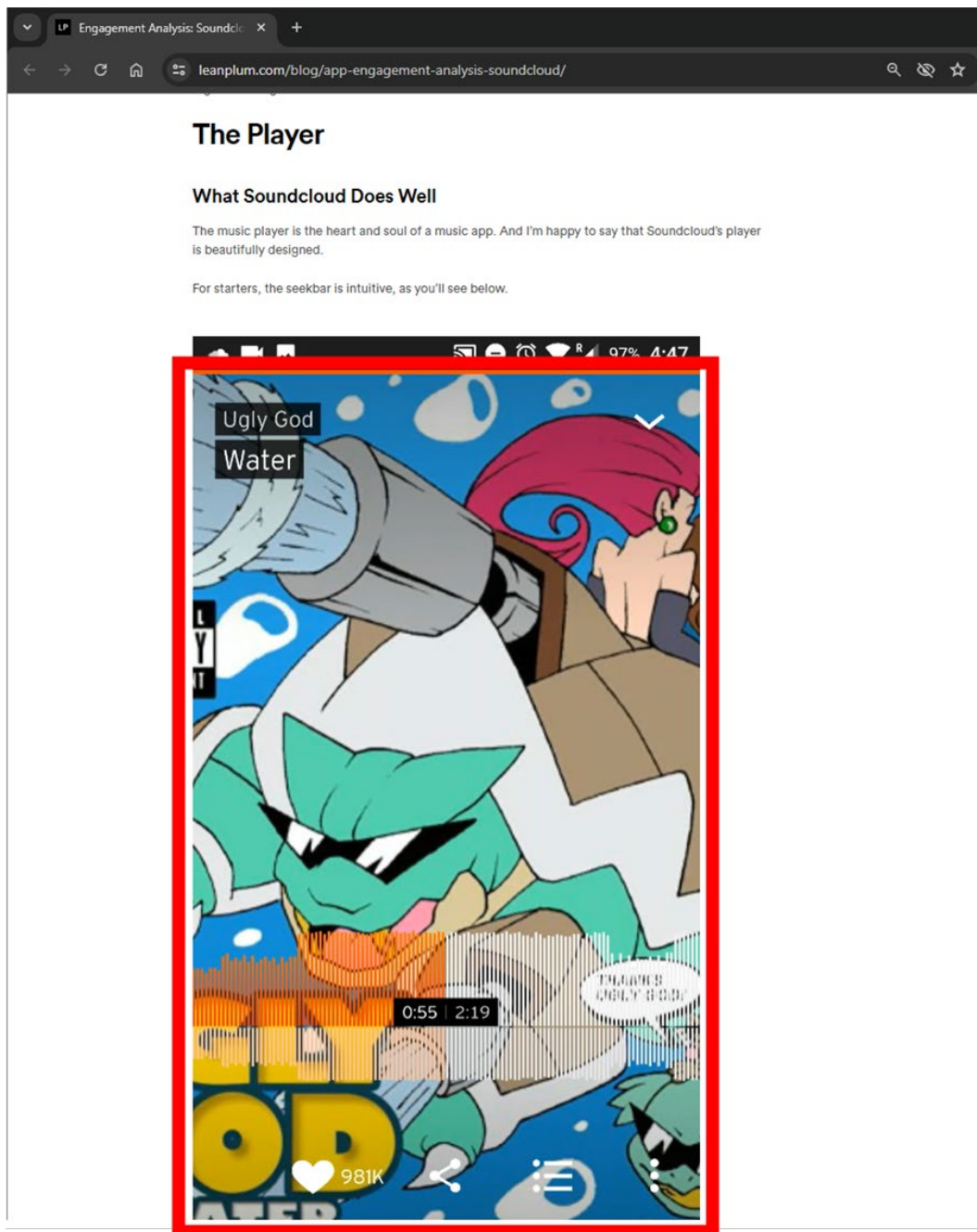
The screenshot shows a YouTube video player with the following elements:

- Video Title:** Adding Keywords and Song Information in SoundCloud
- Channel:** Creative & Productive (722 subscribers)
- Video Description:** I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space.
- Audio Player:** A SoundCloud player for the track "Battle of the Lords" by Mad Lass Music, uploaded 7 months ago. The player shows a waveform and a progress bar at 0:00 / 4:00. A red border highlights the audio player area.
- Thumbnail:** A dark, atmospheric image with the text "Joke" and "BATTLES OF THE BEASTS".
- Engagement:** 24 likes, 5 comments, 1 share, and 1 save.
- Stats:** 2,291 views, Apr 6, 2018, SEO for Music Licensing.

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot displays a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track description reads: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The tags listed are: #intense, #epic, #orchestral, #powerful, #drive, #strings, #brass, #trailer, #action, #adventure, #suspense, #aggressive, #woodkid, #chaotic, #bold, #brave, #confrontational, #dangerous, #determined, #reynolds, #army, #energy. A comment by Nesrine Hamidi at 1:53 says "Mais il tue ce son, il donne la niak". A reply to the comment says "@nesrine-hamidi-596726487: haha contente qu'il te motive :)". The video player at the bottom has the title "Adding Keywords and Song Information in SoundCloud" and shows 2,291 views and a date of Apr 6, 2018.

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

From a content perspective, the charts are also well designed.

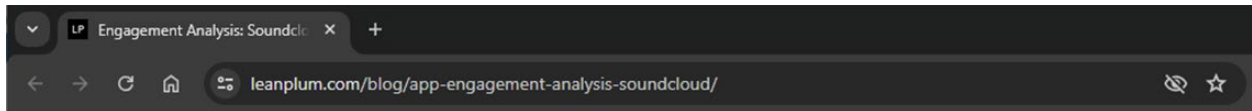
Drum & Bass charts

NEW & HOT TOP 50

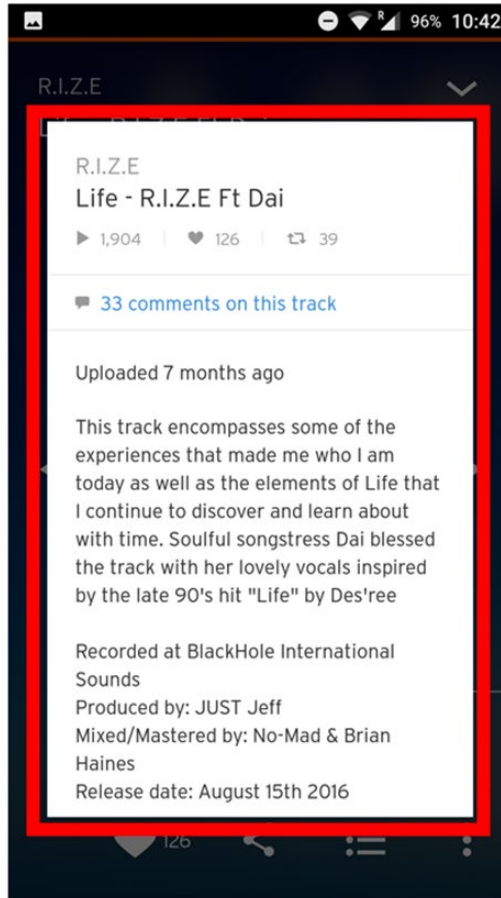
The most played tracks on SoundCloud this week.

Rank	Artist	Track Name	Duration	Plays
1	DJ Phantasy	Zara Larsson - Ain't My Fault (Macky Gee X Phantasy Bootleg)	4:33	1.8M
2	NCS	Cartoon - Why We Lose (feat. Coleman Trapp) [NCS Release]	3:39	2.97M
3	Noisia Radio	Noisia Radio S03E12	1:00:17	33.1K
4	Macky Gee	Macky Gee - Black Widow VIP (FREE DOWNLOAD)	4:31	
	Kabaka	Oumou Sangaré - Saa Magni (Kabak...		

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

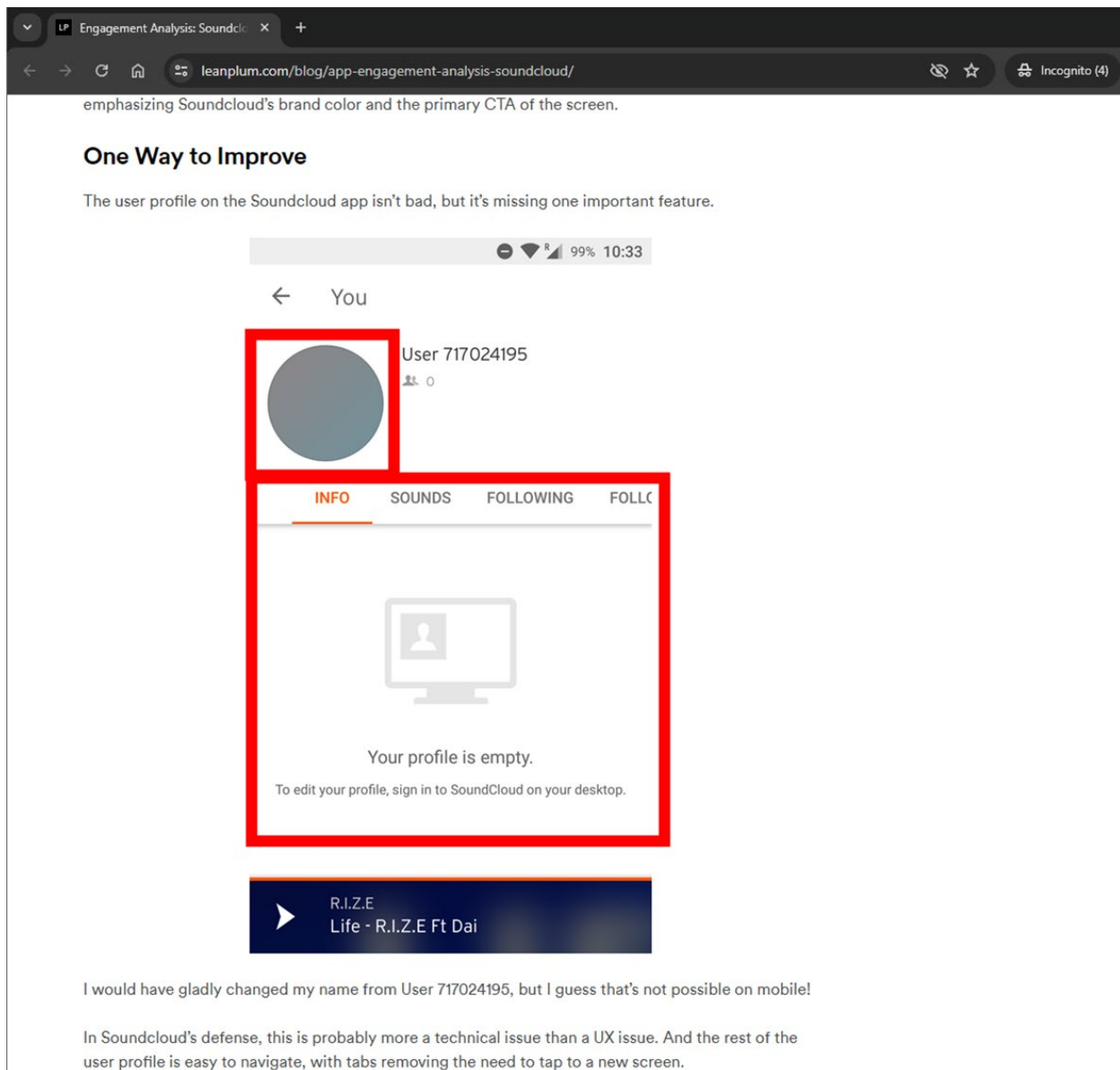


Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

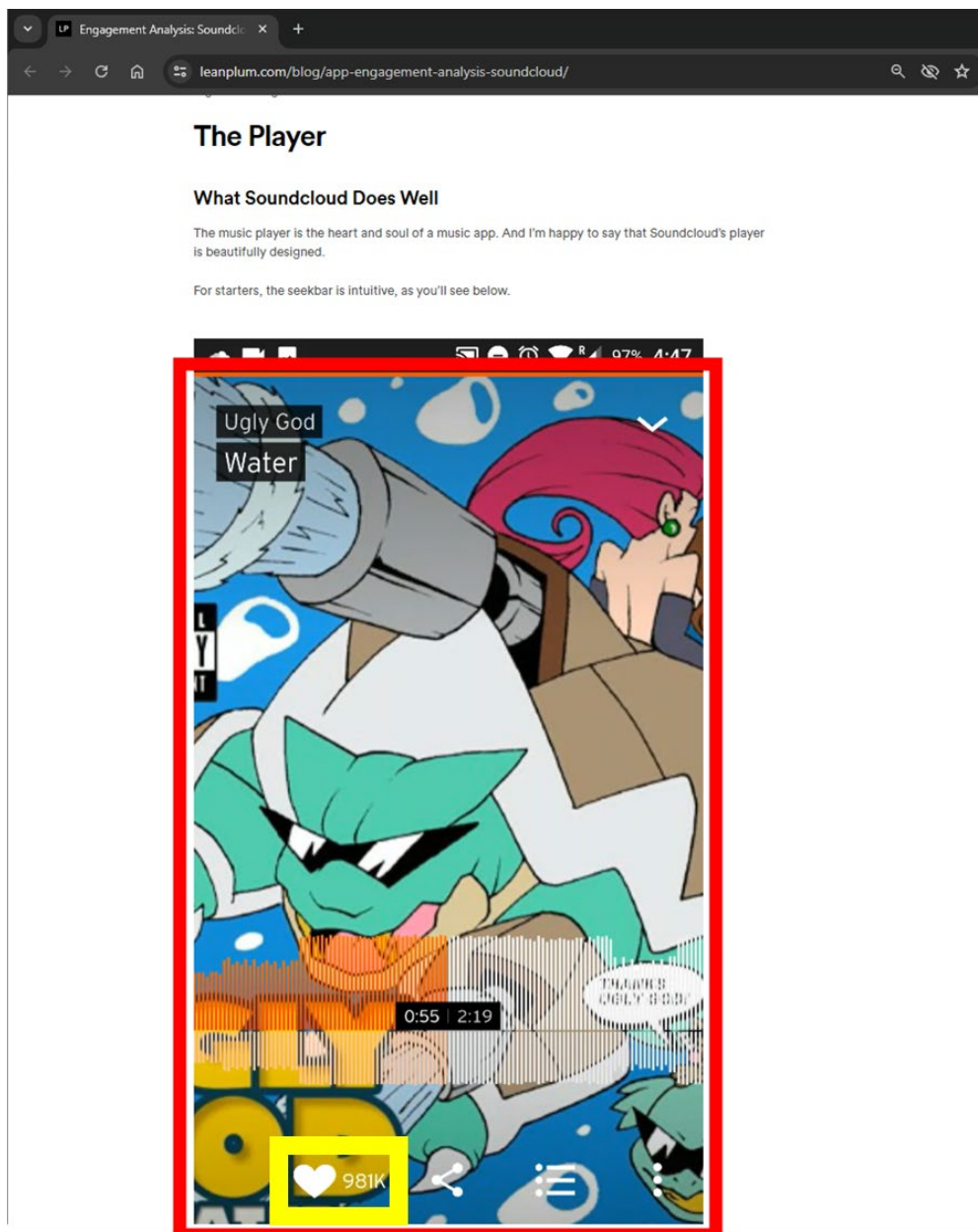
(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

30. The Accused Instrumentality employs an electronic voting subsystem, necessarily having one or more data processing apparatus in order to track voting or electronic rating, configured to enable a user to electronically vote for or rate (e.g., by the user's choices with respect to a selection of a Heart Icon) an electronically available multimedia content (e.g., a song track having associated multimedia content provided by an user-artist submitter, such as accompanying

audio, photo and/or textual content). Soundcloud uses function-specific subsystems, for example as discussed below.

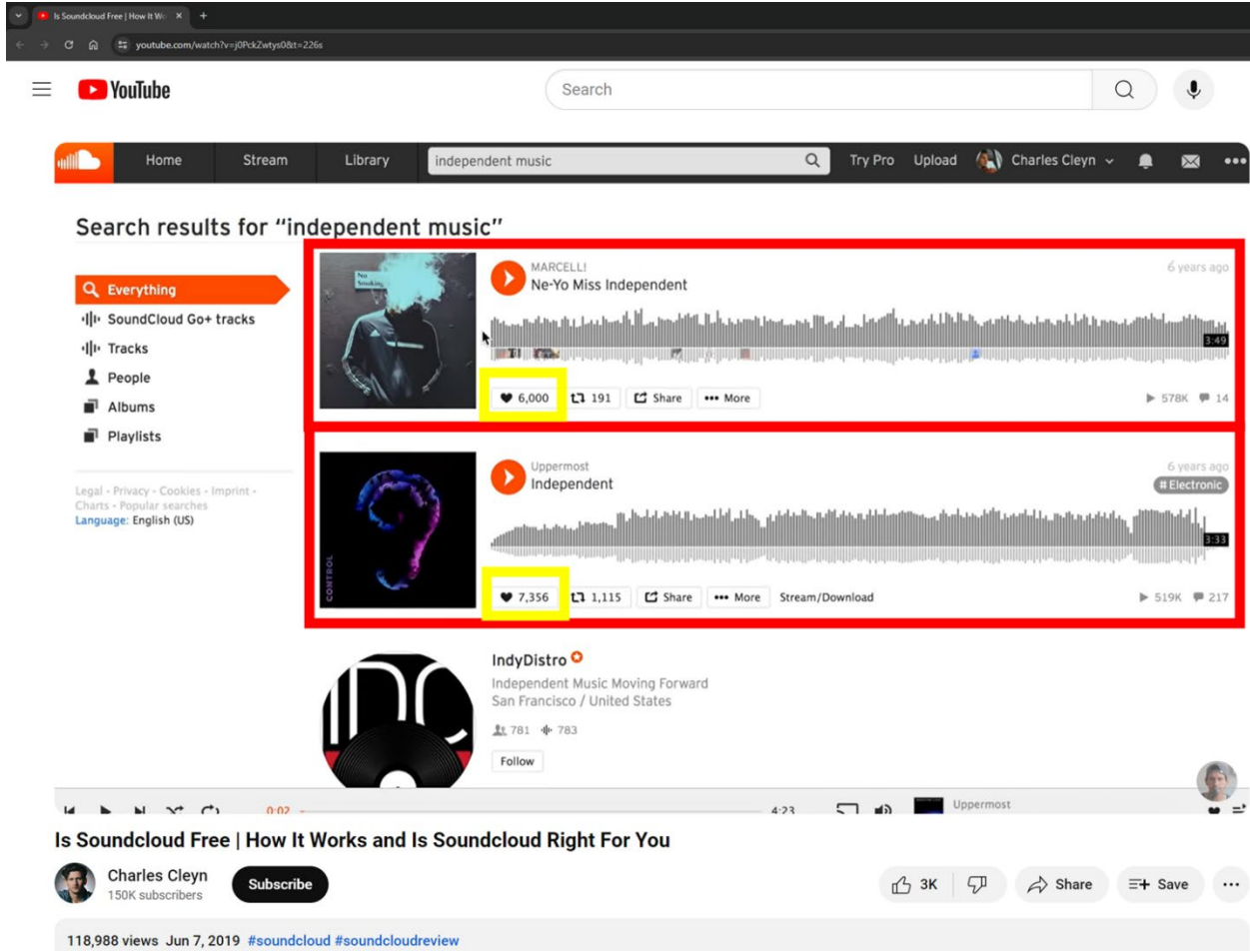


(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

The screenshot shows a web browser window displaying a SoundCloud track page. The track is titled "Battle of the Lords" by "Mad Lass Music", uploaded 7 months ago. The album art features the title "Joke" and "BATTLES OF THE BEASTS" over a dark, textured background. A waveform is visible below the track title. The comment section includes a "Like" button highlighted with a yellow box, a "Share" button, and an "Edit" button. A comment text reads: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The page also shows a "Creative & Productive" channel with 722 subscribers, 24 likes, and 2,291 views from April 6, 2018. A video player in the bottom right corner shows a woman speaking.

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).





(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

31. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘480 Patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

32. To the extent marking is required, VCA has complied with all marking requirements.

**IV. COUNT II**  
**(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,477,665)**

33. Plaintiff incorporates the above paragraphs herein by reference.

34. On October 25, 2016, United States Patent No. 9,477,665 (“the ‘665 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘665 Patent is titled “Revenue-Generating Electronic Multi-Media Exchange and Process of Operating Same.” A true and correct copy of the ‘665 Patent is attached hereto as Exhibit B and incorporated herein by reference.

35. VCA is the assignee of all right, title, and interest in the ‘665 Patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘665 Patent. Accordingly, VCA possesses the exclusive right and standing to prosecute the present action for infringement of the ‘665 Patent by Defendant.

36. The application leading to the ‘665 patent was filed November 16, 2012, which was a continuation of application no. 11/978,781, which issued as United States Patent No. 8,340,994, which was a continuation of application no. 09/565,438 which issued as United States Patent No. 7,308,413. (Ex. B at cover). The ‘665 patent was first assigned to Virtual Creative Artists, LLC. (*Id.*).

37. The ‘665 Patent shares the identical specification as the ‘480 patent and therefore VCA incorporates the background and discussion of the invention in Paragraphs 11-18. Furthermore claim 1 involves a system for generating multimedia content. The claim requires, among other things, electronically generating a multimedia file from the retrieved electronic media Submissions in accordance with a selected digital format, wherein the identification of the submitter is maintained with each retrieved submission within the multimedia file. The claim requires electronically transmitting the multimedia file to a plurality of publicly accessible web servers to be electronically available for viewing on one or more user devices over a public network via a web-browser and. This allows electronically transmit data indicating votes or rating

of multimedia content in a much quicker and easier fashion based on specific user criteria. There is nothing abstract about this very particular, unconventional, and non-routine system for the generation of multimedia content as specifically claimed and there is no risk of preempting creating and distribution contention generally, or even within the context of the Internet.

38. The invention is a highly technical electronic process that cannot be achieved with the human mind and is instead rooted in computer technology, including the steps of:

- “electronically retrieving a plurality of electronic media submissions,”
- “electronically generating a multimedia file from the retrieved electronic media submissions in accordance with a selected digital format,”
- “electronically transmitting the multimedia file to a plurality of publicly accessible webservers to be electronically available for viewing on one or more user devices over a public network via a web-browser,” and
- “providing a web-based graphical user interface that enables a user to electronically transmit data indicating a vote or rating for an electronically available multimedia content or an electronic media Submission within a respective electronically available multimedia content.”

39. Each of these subsystems are configured in a very specific (and not generic, unconventional and non-routine manner to offer the novel and non-obvious approach claimed invention. For example, claim 1 requires an “electronic media submissions database,” which is a subsystem that receives media submissions from Internet users. This is not a generic database but rather a scalable database that must be able to receive, store, and manage multiple petabytes of multimedia data received from users all over the world. This is one of the many specialized databased required in the claim. In fact, the specification discloses the use of a sophisticated database management system known in the art at the time that was capable of handling data at this level, Oracle7. This type of database management system cannot operate on a generic computing system but rather requires specialized hardware and software.

40. The claim also provides details to explain how each step operates. For example, the claim requires “electronically retrieving a plurality of electronic media submissions from an electronic media submissions database using an electronic content filter located on one or more data processing apparatus.” Further, “the electronic media submissions database” in this step is further required to “store[] [1] data identifying the submitter and [2] data indicating content for each electronic media submission.” The step further requires and “electronic content filter.” The “filter” also includes a very specific algorithm of “being based at least in part on at least one of the one or more user attributes.”

41. The claims also require an “electronically generating a multimedia file from the retrieved electronic media submissions in accordance with a selected digital format.” Manipulation of multimedia data in accordance with a selected digital format is far from generic and was not routine or conventional at the time of the invention. Further, this step requires that the “electronic media submissions database” “stores data identifying the submitter” and the “the identification of the submitter is maintained with each retrieved submission within the multimedia file.”

42. The claims also require “providing a web-based graphical user interface that enables a user to electronically transmit data indicating a vote or rating for an electronically available multimedia content or an electronic media Submission within a respective electronically available multimedia content,” which is a well-defined, specific, and unconventional feature. By including this additional voting/rating feature, the claims avoid any risk of preempting the creation and distribution of content.

43. The claim also inventive concepts. For example, the claim requires that the filtering tool be at a specific location, remote from the end-users, with customizable filtering features specific to each end user. The "electronic content filter" is located at the server, remote from the

end user, and customizable based on user attributes. The “electron voting” step at the time of the invention was also novel, inventive, and added sufficient inventive contributions to avoid a risk of preempting the creation and distribution of media content. It is clearly possible to create and distribute media content without ever having to include a “voting” subsystem on what components should be included in such media content.

44. These arguments overcame a patent eligibility rejection under 35 U.S.C. §101 of the claim at issue during the prosecution of the ‘665 patent before the United States Patent and Trademark Office.

45. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing claim 1 of the ‘665 Patent in New York, and elsewhere in the United States, by employing a computer-based system using <https://soundcloud.com/> (“Accused Instrumentality”) (*e.g.*, <https://soundcloud.com/>).

46. Soundcloud uses a computer-based system for its Accused Instrumentality, to enable user-artists to create personalized Artist profiles containing multimedia content and publish multimedia content in the form of on-demand music tracks containing associated audio content, image content and textual content. The computer-based system further enables individual users of the Accused Instrumentality to create personalized user profiles and playlists having multimedia content (*e.g.*, image content, audio content, and textual content), as well as comment on on-demand music tracks. User-artist profiles, user profiles and playlists include multimedia content including audio content in the form of on-demand music tracks, and image and textual content (*e.g.*, a submitter’s profile picture and a caption, as well as an album cover) which may be shown to other users based on, *inter alia*, user preferences and attributes. On-demand music tracks and playlists containing multimedia content submitted by user-artists and users may also appear on a curated

feed of other users, for example in the form of featured and/or top-ranked on-demand music tracks and playlists. This system makes use of one or more data processing apparatus, and a computer readable medium coupled to the one or more data processing apparatus having instructions stored thereon which, when executed by the one or more data processing apparatus, cause the one or more data processing apparatus to perform an electronic method comprising the functions as further discussed below. Soundcloud, during the relevant time period, took advantage of multiple cloud server providers for the Accused Instrumentality, as discussed above, as well as scalability within its cloud server providers, employing separate server subsystems for all its meaningfully different functions. Soundcloud uses, and has used during the relevant time period, numerous different networks and providers for, *inter alia*, content management systems, web servers, web hosting, data centers, proxy certificates, SSL certificates, traffic analysis, advertising, and tagging, thereby using separate server subsystems for all its meaningfully different functions, such as those indicated below.

The screenshot shows a YouTube video player interface. At the top, the browser address bar displays the URL [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The YouTube logo and search bar are visible. The video player shows the profile of 'Uppermost' from France, with a profile picture of a man wearing headphones. Below the profile, the album 'Given by Nature' is featured, released 9 months ago, categorized as Electronic. The album cover art shows a glowing purple ear icon. A tracklist is displayed with the following items:

Track Number	Track Name	Views
1	Given by Nature	17.6K
2	Echoes of Mystery	14.5K
3	Love Runway	17.8K
4	Under Control	12.6K
5	Through The Pain	12.7K

To the right of the album, statistics are shown: 84.9K Followers, 70 Following, and 226 Tracks. Social media links for Spotify, Instagram, YouTube, and Songkick are provided. The video title is 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You' by Charles Cleyn, with 150K subscribers and 118,988 views from June 7, 2019. The video has 3K likes and is shared.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the address bar showing "youtube.com/watch?v=j0PckZwtys0&t=226s". The YouTube interface includes a search bar, navigation tabs (Home, Stream, Library), and a search filter set to "independent music". The search results are displayed in a list format. The first result is a video by MARCELLI titled "Ne-Yo Miss Independent", uploaded 6 years ago, with 6,000 likes, 191 comments, and 578K views. The second result is a video by Uppermost titled "Independent", also uploaded 6 years ago, with 7,356 likes, 1,115 comments, and 519K views. The third result is a channel named "IndyDistro", which is described as "Independent Music Moving Forward" and is based in San Francisco, United States, with 781 subscribers and 783 videos. The video player at the bottom shows the video "Independent" by Uppermost, which has 3K likes and 3 comments. The video title is "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn, with 118,988 views and a date of Jun 7, 2019. The video description includes the hashtags #soundcloud and #soundcloudreview.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



The screenshot shows a YouTube video player with a red border around the audio player. The audio player is for the track "Battle of the Lords" by Mad Lass Music, uploaded 7 months ago. The track is categorized as "Soundtrack" and has a duration of 2:49. The audio player includes a waveform and a play button. Below the audio player is a comment section with a "Write a comment" field and buttons for "Like", "Share", "Edit", and "More". The comment text reads: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." To the right of the comment section is a video thumbnail for "Joke" by Mad Lass Music, featuring a dark, atmospheric image with the text "Joke" and "BATTLES OF THE BEASTS". Below the video player is a "Creative & Productive" channel subscription button with 722 subscribers and a "Subscribe" button. The video has 24 likes, 5 comments, and 1 share. The video title is "Adding Keywords and Song Information in SoundCloud" and it has 2,291 views as of April 6, 2018. The video description includes the text "SEO for Music Licensing".

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

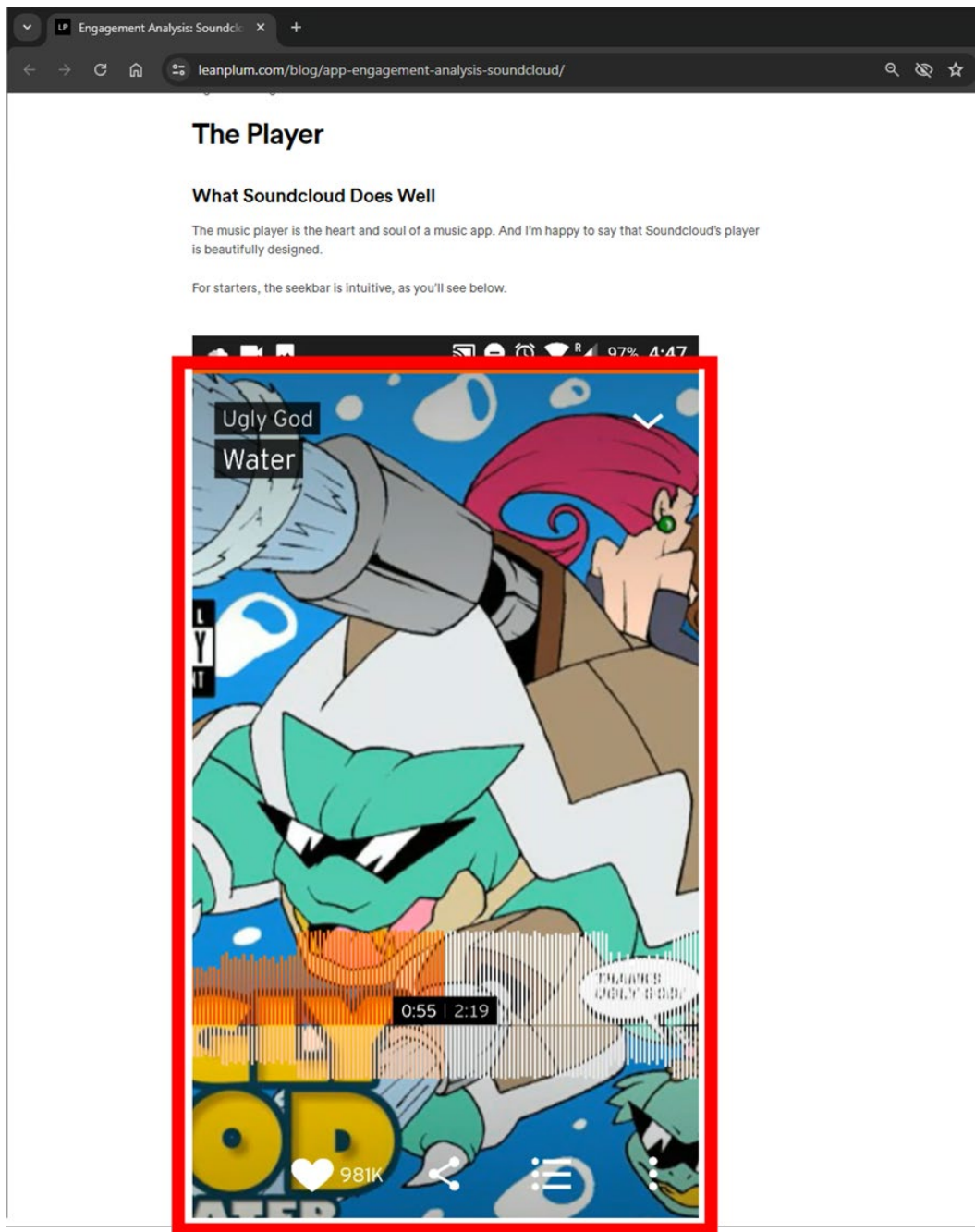
The screenshot shows a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track description is: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The tags listed are: #intense, #epic, #orchestral, #powerful, #drive, #strings, #brass, #trailer, #action, #adventure, #suspense, #aggressive, #woodkid, #chaotic, #bold, #brave, #confrontational, #dangerous, #determined, #revenge, #army, #energy. There are two comments: one by Nesrine Hamidi at 1:53 saying "Mais il tue ce son, il donne la niak" and another by "You" at 1:53 saying "@nesrine-hamidi-596726487: haha contente qu'il te motive :)".

**Adding Keywords and Song Information in SoundCloud**

Creative & Productive  
722 subscribers

2,291 views Apr 6, 2018 SEO for Music Licensing

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

From a content perspective, the charts are also well designed.

Drum & Bass charts

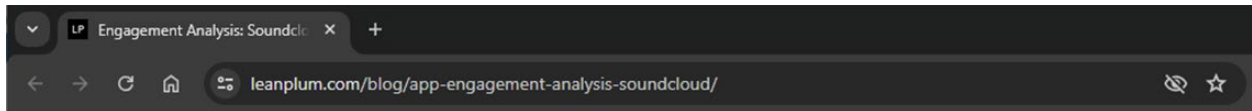
NEW & HOT TOP 50

The most played tracks on SoundCloud this week.

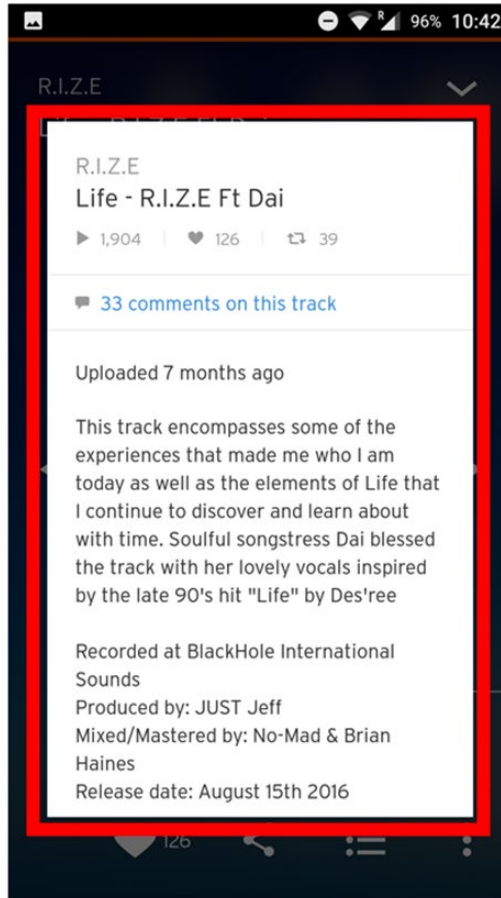
Rank	Artist	Track Name	Duration	Plays
1	DJ Phantasy	Zara Larsson - Ain't My Fault (Macky Gee X Phantasy Bootleg)	4:33	1.8M
2	NCS	Cartoon - Why We Lose (feat. Coleman Trapp) [NCS Release]	3:39	2.97M
3	Noisia Radio	Noisia Radio S03E12	1:00:17	33.1K
4	Macky Gee	Macky Gee - Black Widow VIP (FREE DOWNLOAD)	4:31	

Kabaka  
Oumou Sangaré - Saa Magni (Kabak...

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



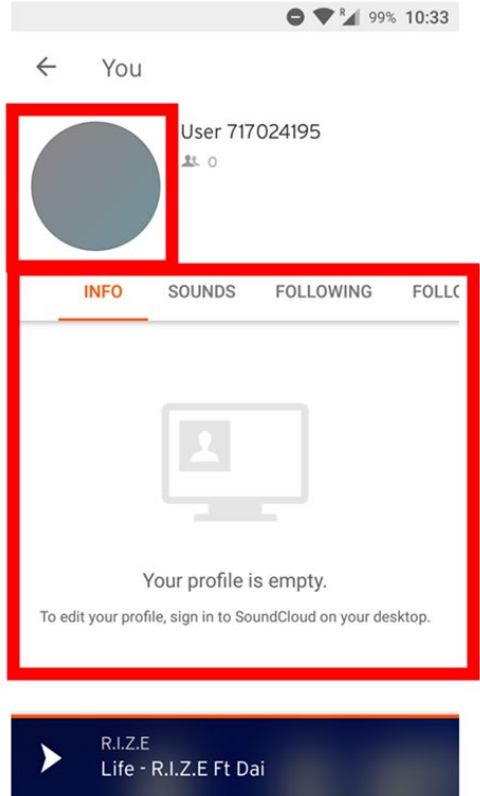
You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

emphasizing Soundcloud's brand color and the primary CTA of the screen.

### One Way to Improve

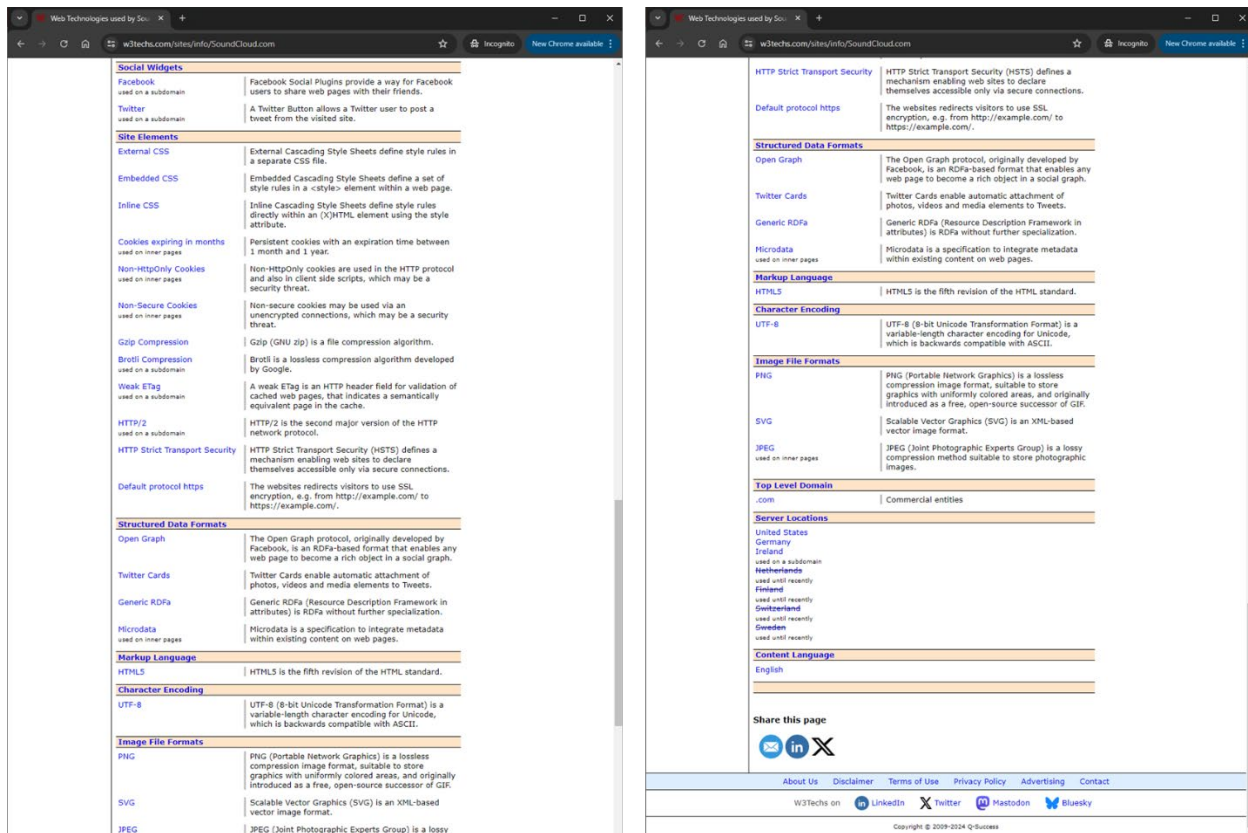
The user profile on the Soundcloud app isn't bad, but it's missing one important feature.



I would have gladly changed my name from User 717024195, but I guess that's not possible on mobile!

In Soundcloud's defense, this is probably more a technical issue than a UX issue. And the rest of the user profile is easy to navigate, with tabs removing the need to tap to a new screen.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://w3techs.com/sites/info/Soundcloud.com>).

47. The Accused Instrumentality electronically retrieves a plurality of electronic media submissions from an electronic media submissions database on a non-transitory medium, for example multimedia content pertaining to building a user profile on the Accused Instrumentality, as well as multimedia content to be displayed on the user's profile or curated feed of other users in the form of featured and/or top-ranked on-demand music tracks and playlists., for example as discussed and shown above in connection with the above discussion. Individual user-artists can create a user-artist profile, publish on-demand music tracks and compile albums on The Accused Instrumentality, which are stored in a user database stored in memory. Artist accounts, albums, and playlists are available to other users through the Accused Instrumentality, for example as discussed above. The user attributes of user-artists and users who create a profile and/or publish on-demand music tracks and compile albums or playlists include, e.g., the genre of the on-demand

music track and/or the album or artist (such as Alternative Rock, Ambient, Classical, EDM and the like), audio type (such as Audiobooks, Business, Comedy and the like), as well as tags associated with the on-demand music track and/or the album or artist and the like as shown for example below. The Accused Instrumentality's retrieval of electronic media, (*e.g.*, user/user-artist profiles music tracks, and albums, and associated content) with associated photo content, audio content, and textual content associated with the user-submitter from the electronic media submissions database uses an electronic content filter located on the one or more data processing apparatus. For example, with respect to an user-artist and associated on-demand music tracks and/or albums, as can be seen below, such electronic content filter as is used by Soundcloud is based at least in part on at least one of the one or more user attributes, (*e.g.*, based on, *inter alia*, genre of the on-demand music track and/or the album or artist (such as Alternative Rock, Ambient, Classical, EDM and the like), audio type (such as Audiobooks, Business, Comedy and the like), as well as tags associated with the on-demand music track and/or the album or artist) which in turn affect which electronic media submissions, *e.g.*, user-artist profiles and associated on-demand music tracks and/or albums, appear to the user as shown and discussed for example below. Soundcloud uses function-specific subsystems, for example as shown below.

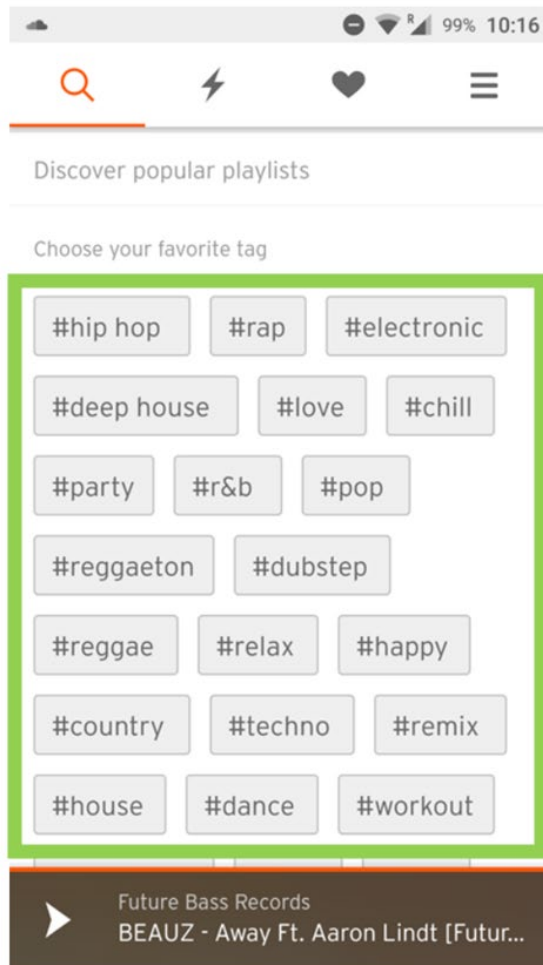
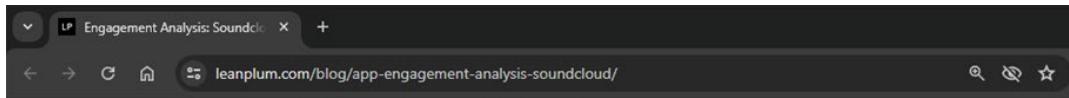


The screenshot displays a YouTube video player. The video title is "How to Upload Music to Soundcloud! (2024)". The channel is "How to Digital" with 338K subscribers. The video has 9.8K likes and a share button. The video content shows the SoundCloud upload interface. The title field is highlighted with a blue box and contains the text "Choony Instrumental Spectrum Vlog No Copyright Music BwC BeY8D0C". The genre dropdown is highlighted with a green box and shows "None". The additional tags field is also highlighted with a green box and contains the text "Add tags to describe the genre and mood of your track". The description field is empty. The video player shows 538,704 views and was posted on Feb 24, 2020.

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

The screenshot shows a YouTube video player with a video titled "How to Upload Music to Soundcloud! (2024)". The video is from the channel "How to Digital" (338K subscribers). The video player shows 9.8K likes, a share button, and a save button. The video description area shows the video content, which is a SoundCloud upload interface. The interface has three tabs: "Basic info", "Metadata", and "Permissions". The "Basic info" tab is active, showing a form for uploading a track. The form includes a "Title" field with the text "Name trck", a "Genre" dropdown menu, and a "Description" field. The "Genre" dropdown menu is open, showing a list of genres: "None", "Custom", "MUSIC", "Alternative Rock", "Ambient", "Classical", "Country", "Dance & EDM", "Dancehall", "Deep House", "Disco", "Drum & Bass", "Dubstep", and "Electronic". The "Ambient" genre is highlighted with a mouse cursor. The video player also shows a "Subscribe" button and a "9.8K" like count. The video has 538,704 views and was uploaded on Feb 24, 2020.

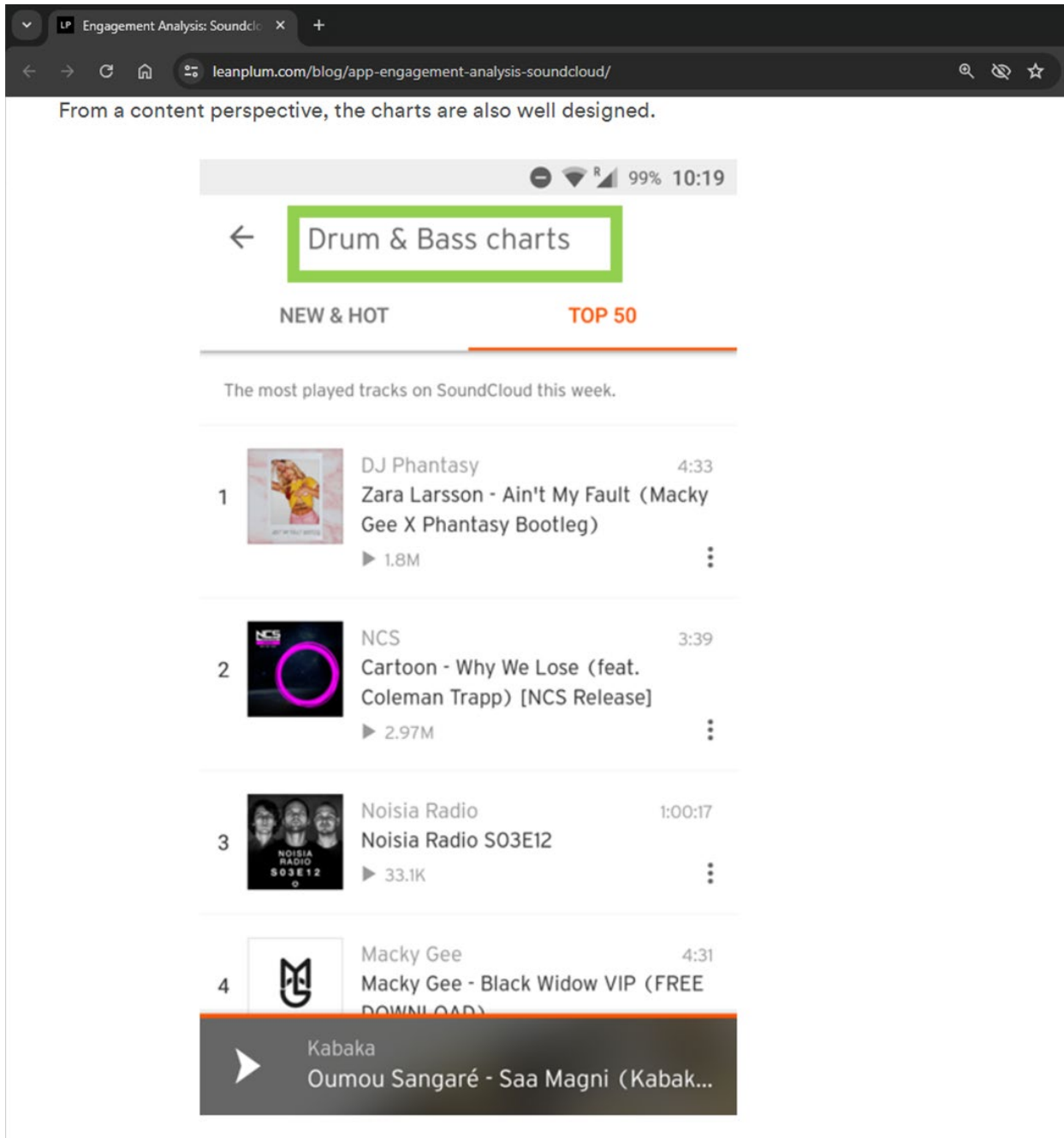
(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).



Visually, I quite like how this part of the screen is laid out. Text is a design element in itself, and this screen works despite the lack of graphics. The text for the tags is noticeably bigger than the rest, making the layout skimmable.

From a content perspective, the charts are also well designed.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

The screenshot displays a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track is currently in the "Basic info" tab of the metadata editor. The title is "Battle of the Lords" and the URL is "soundcloud.com/madlassmusic/battle-of-the-lords". A dropdown menu for "Genre" is open, showing a list of categories including Soundtrack, Reggae, Reggaeton, Rock, Techno, Trance, Trap, Triphop, World, AUDIO, Audiobooks, Business, Comedy, Entertainment, and Learning. The "Soundtrack" option is highlighted. The track features a cover image titled "Joke" and has 2,291 views as of April 6, 2018. The page also shows the artist's profile "Creative & Productive" with 722 subscribers and a "Subscribe" button. The track description includes hashtags like #drive, #strings, #brass, #trailer, #determined, #revenge, #army, #marching, #mechanical, and a short description: "I'm just hungry. In any case, this is an... nd dynamic. Includes stinging strings, ... Big Marshmallow Man scene in ... ic battle in space."

**Adding Keywords and Song Information in SoundCloud**

2,291 views Apr 6, 2018 [SEO for Music Licensing](#)

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track is highlighted with a green box. The metadata editor shows the following information:

- Title: Battle of the Lords
- URL: soundcloud.com/madiassmusic/battle-of-the-lords
- Genre: Soundtrack
- Additional tags: #intense, #epic, #orchestral, #powerful, #drive, #strings, #brass, #trailer, #action, #adventure, #suspense, #aggressive, #woodkid, #chaotic, #bold, #brave, #confrontational, #dangerous, #determined, #revenge, #army, #energy, #explosive, #heroic, #intense, #marching, #mechanical, #menacing, #rebellious, #sinister
- Description: I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space.

Below the track, there is a "Creative & Productive" channel with 722 subscribers and a "Subscribe" button. The track has 2,291 views and was uploaded on Apr 6, 2018. The page also includes a "Share" button and a "Save" button.

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

Adding Keywords and Song Information in SoundCloud

Creative & Productive  
722 subscribers

2,291 views Apr 6, 2018 SEO for Music Licensing

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a YouTube video player interface. At the top, the browser address bar displays the URL: [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The YouTube logo and search bar are visible. The video content features a profile for the artist **Uppermost** from France, with a circular profile picture and a background image of a person with a glowing ear icon. Below the profile, the video displays a SoundCloud playlist titled "Given by Nature (Album)" with a tracklist:

Track	Views
1 Given by Nature	17.6K
2 Echoes of Mystery	14.5K
3 Love Runway	17.8K
4 Under Control	12.6K
5 Through The Pain	12.7K

Additional information includes 84.9K followers, 70 following, and 226 tracks. The video title is "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn (150K subscribers), with 118,988 views and a date of Jun 7, 2019. The video player shows a progress bar at 0:02 and a thumbnail for the next video, "Mahlow - Waking".

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



The screenshot shows a YouTube search results page for the query "independent music". The page features a navigation bar with "Home", "Stream", and "Library" tabs, and a search bar containing the text "independent music". Below the navigation bar, the search results are displayed. A purple box highlights the search filter menu on the left, which includes "Everything", "SoundCloud Go+ tracks", "Tracks", "People", "Albums", and "Playlists". The search results list two tracks: "Ne-Yo Miss Independent" by MARCELLI, uploaded 6 years ago, and "Independent" by Uppermost, which is highlighted with a green box and labeled "#Electronic". Below the tracks, the profile of "IndyDistro" is shown, with the description "Independent Music Moving Forward San Francisco / United States". At the bottom of the screenshot, a video player is visible, showing the video title "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn, with 118,988 views and a "Subscribe" button.

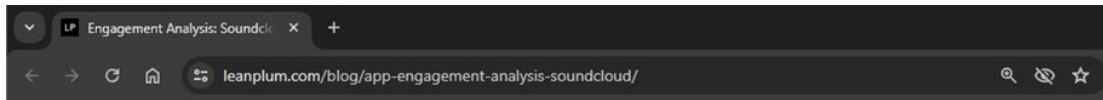
(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the address bar showing "youtube.com/watch?v=j0PckZwtys0&t=226s". The YouTube interface includes a search bar, navigation tabs (Home, Stream, Library), and a search filter set to "independent music".

The search results are displayed as a list of videos. The first video is "Ne-Yo Miss Independent" by MARCELLI, uploaded 6 years ago, with 6,000 likes and 191 comments. The second video is "Independent" by Uppermost, with 7,356 likes and 1,115 comments. A "#Electronic" tag is visible on the second video. Below the videos is a channel card for "IndyDistro", described as "Independent Music Moving Forward" from San Francisco, United States, with 781 subscribers and 783 videos.

The video player at the bottom shows the video "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn, with 150K subscribers and 118,988 views from June 7, 2019. The video title and description are visible, along with interaction buttons for likes (3K), comments, shares, and saves.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



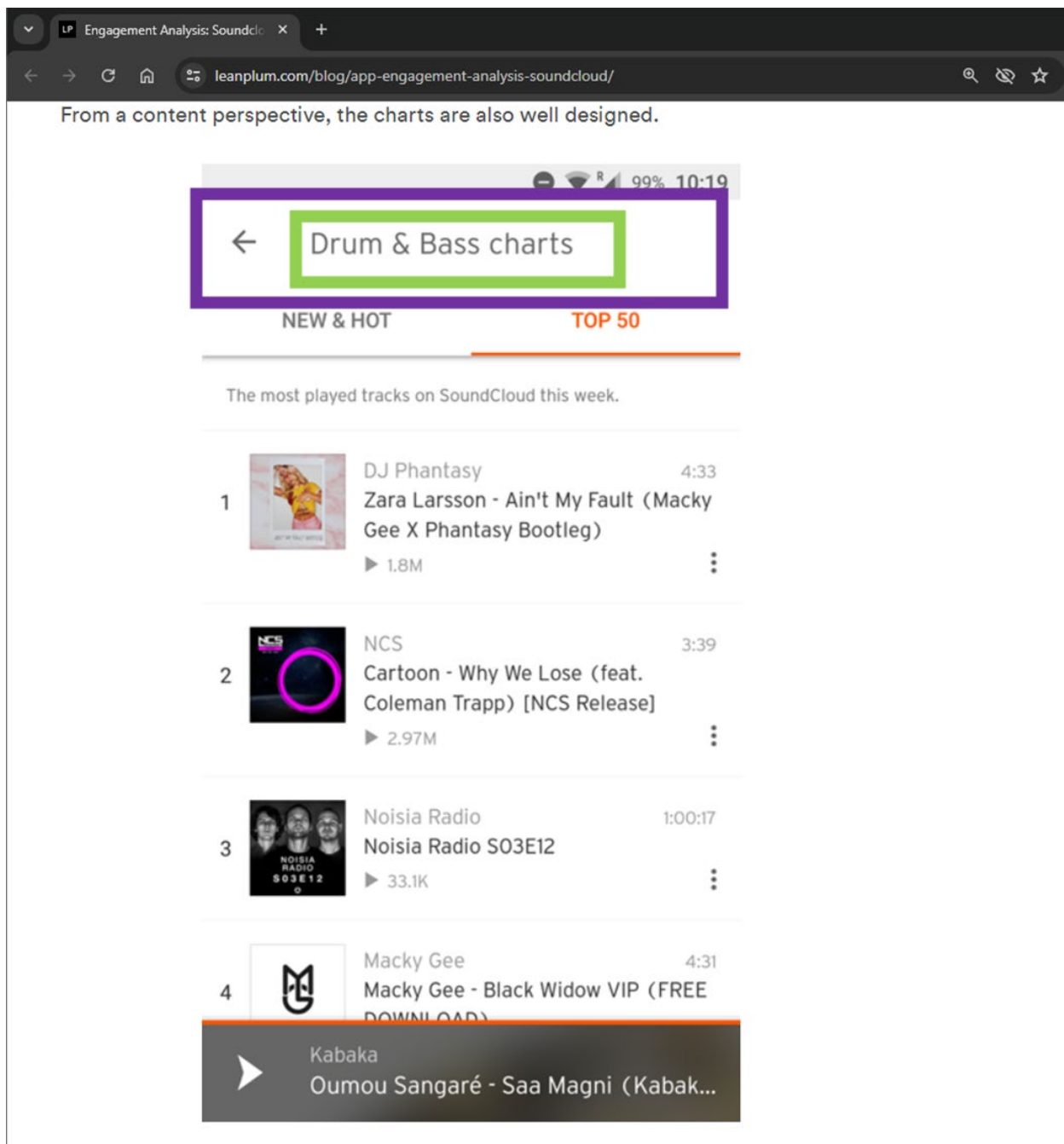
Scrolling down, we see a list of tags for genre-based filtering.



Visually, I quite like how this part of the screen is laid out. Text is a design element in itself, and this screen works despite the lack of graphics. The text for the tags is noticeably bigger than the rest, making the layout skimmable.

From a content perspective, the charts are also well designed.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

48. The Accused Instrumentality includes an electronic media submissions server subsystem, having one or more data processing apparatus and an electronic media submissions database stored on a non-transitory medium to process and store received submissions from a plurality of users (such as user-artists and individual users), for example content pertaining to

respective artist profiles, user profiles and on-demand music tracks and/or music albums submitted by user-artists on the Accused Instrumentality, as well as multimedia content to be displayed on one or both of the user's profile and the curated feed of other users in the form of featured and/or top-ranked on-demand music tracks and playlists, or music tracks and/or albums pertaining to a particular user-artist, as discussed and shown for example in connection with the above discussion. For example, the submissions pertaining to building a user profile and creating an album may include *e.g.*, photo, audio, and/or textual content. The submissions are provided to the Accused Instrumentality via a submissions electronic interface, *e.g.*, a web-based content portal, accessible for example by logging in and selecting options to upload such content or import content, configured to receive such electronic media, from a plurality of submitters (*e.g.*, user-artists and individual users) over a public network (*e.g.*, the Internet) and stored, via an uploading process, in said electronic media submissions database for use in distribution to other users of the Accused Instrumentality.

The screenshot shows a YouTube video player displaying a tutorial on how to upload music to SoundCloud. The video title is "How to Upload Music to Soundcloud! (2024)". The channel is "How to Digital" with 338K subscribers. The video has 9.8K likes and 538,704 views, dated Feb 24, 2020. The video content shows the SoundCloud website's upload page. A yellow rectangular box highlights the "Upload your first track" button, which is accompanied by a "Create a SoundCloud account" link. The page also features a promotional banner for "Pro Unlimited" (10% off by Mar 2, 2020) and sections for "Real-time stats", "Find your community", and "Connect directly with fans". The Windows taskbar is visible at the bottom of the browser window.

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

The screenshot shows a YouTube video player with a yellow border around the central upload interface. The interface includes a progress bar at the top showing '0% of free uploads used' and a 'Try Pro Unlimited' button. The main text reads 'Drag and drop your tracks & albums here' and 'or choose files to upload'. There is a checkbox for 'Make a playlist when multiple files are selected' and a privacy selector set to 'Public'. At the bottom, it says 'Provide FLAC, WAV, ALAC, or AIFF for highest audio quality. Learn more about lossless HD.' The video title is 'How to Upload Music to Soundcloud! (2024)' by 'How to Digital' (338K subscribers). The video has 538,704 views and was posted on Feb 24, 2020. The video player controls show a progress bar at 0:59 / 2:33.

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

The screenshot displays a YouTube video player. The video title is "How to Upload Music to Soundcloud! (2024)". The channel is "How to Digital" with 338K subscribers. The video has 9.8K likes, a share button, and a save button. The video has 538,704 views and was posted on Feb 24, 2020. The video content shows the SoundCloud upload interface. The title field is highlighted with a blue box and contains the text "Choony Instrumental Spectrum Vlog No Copyright Music BwC BeY8BD0". The genre is set to "None". The description field is empty. The privacy is set to "Public".

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).



The screenshot shows a YouTube video player with a SoundCloud upload interface overlaid. The video title is "How to Upload Music to Soundcloud! (2024)". The interface includes a "Basic info" tab with fields for "Title\*" (Name trck), "Genre" (None), and a description field. A dropdown menu for "Genre" is open, showing options like "None", "Custom", "MUSIC", "Alternative Rock", "Ambient", "Classical", "Country", "Dance & EDM", "Dancehall", "Deep House", "Disco", "Drum & Bass", "Dubstep", and "Electronic". The video has 9.8K likes, 538,704 views, and was posted on Feb 24, 2020. The channel is "How to Digital" with 338K subscribers.

(E.g., <https://www.youtube.com/watch?v=KcAEOLEZpt0>).

Adding Keywords and Song Information in SoundCloud

Creative & Productive  
722 subscribers

Subscribe

24 24

Share Save

2,291 views Apr 6, 2018 [SEO for Music Licensing](#)

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot displays the SoundCloud interface for editing a track. The track title is "Battle of the Lords" and the URL is "soundcloud.com/madlassmusic/battle-of-the-lords". The genre is set to "Soundtrack". The description reads: "Maybe I'm just hungry. In any case, this is an epic battle in space. Includes stinging strings, a big Marshmallow Man scene in space." The artist is "Creative & Productive" with 722 subscribers. The track has 24 likes and 2,291 views as of April 6, 2018. The page is titled "Adding Keywords and Song Information in SoundCloud".

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a SoundCloud metadata form for the track "Battle of the Lords" by Mad Lass Music. The form is titled "Basic info Metadata Permissions" and contains the following fields:

- Contains music: Yes
- Artist: JoKe
- Publisher: Mad Lass Music
- ISRC: QZ4JJ1633482
- Composer: Joyce Kettering
- Release title: Battle of the Lords
- Buy-link: (empty)
- Album title: Battles of the Beasts
- Record label: (empty)
- Release date: DD/MM/YYYY
- Barcode: (empty)
- ISWC: T-920.258.908-0
- P line: e.g. 2007 XYZ Record Company Limited
- Contains explicit content: No
- License: All Rights Reserved (selected)

Below the form, there is a video player for "Adding Keywords and Song Information in SoundCloud" by "Creative & Productive" (722 subscribers). The video has 2,291 views and was uploaded on April 6, 2018. The video title is "Adding Keywords and Song Information in SoundCloud".

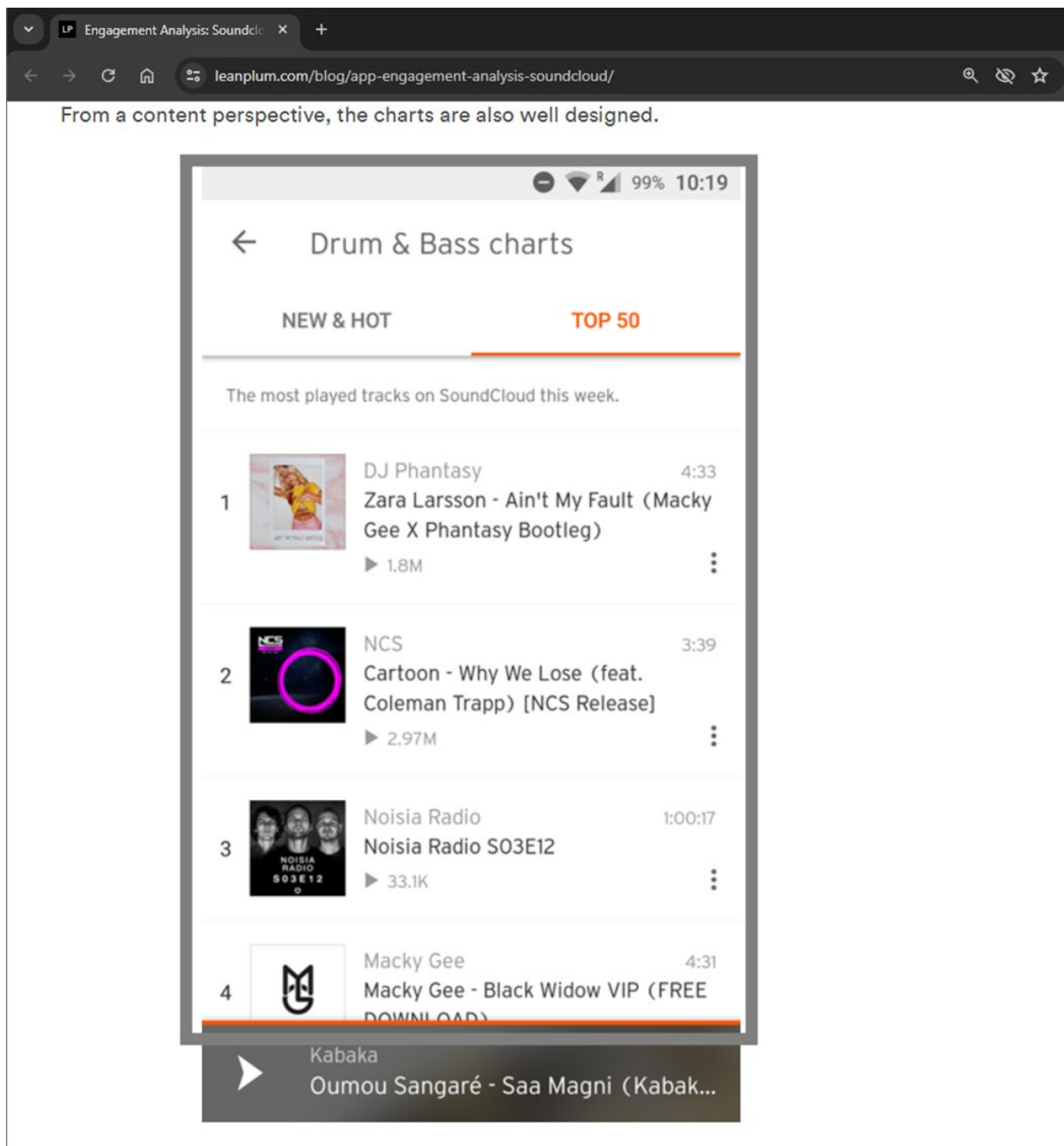
(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a YouTube video player interface. At the top, the browser address bar displays the URL: [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The YouTube logo and search bar are visible. The video content displays the profile of the artist 'Uppermost' from France, featuring a circular profile picture and a background image of a person with a glowing ear icon. Below the profile, the video shows a SoundCloud playlist titled 'Given by Nature (Album)' with a tracklist and a waveform visualization. The tracklist includes:

Track	Views
1 Given by Nature	17.6K
2 Echoes of Mystery	14.5K
3 Love Runway	17.8K
4 Under Control	12.6K
5 Through The Pain	12.7K

Below the playlist, the video title is 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You' by Charles Cleyn (150K subscribers). The video has 118,988 views and was posted on June 7, 2019. The video player includes standard YouTube controls like like, comment, share, and save buttons.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

49. The electronic media submissions database of the Accused Instrumentality used by Soundcloud which stores the submissions further stores data identifying the submitter and data indicating content for each electronic media submission. As shown below, data identifying the

user (submitter) includes, *e.g.*, a name. Data indicating content for each electronic media submission includes a photo, audio and/or textual content.

The screenshot displays a YouTube video player interface. At the top, the video title is "Is Soundcloud Free | How It Works and Is Soundcloud Right For You". The channel name is "Uppermost" with a location tag for "France". Below the video player, there are navigation tabs for "All", "Tracks", "Albums", "Playlists", and "Reposts". The "Playlists" tab is active, showing a playlist titled "Given by Nature (Album)" with a "#Electronic" tag. The playlist contains five tracks:

Track Number	Track Name	Views
1	Given by Nature	17.6K
2	Echoes of Mystery	14.5K
3	Love Runway	17.8K
4	Under Control	12.6K
5	Through The Pain	12.7K

Below the playlist, the video player shows a progress bar and a video player for the video. The video title is "Is Soundcloud Free | How It Works and Is Soundcloud Right For You". The channel name is "Charles Cleyn" with 150K subscribers. The video has 118,988 views and was uploaded on Jun 7, 2019. The video description includes the hashtags #soundcloud and #soundcloudreview. The video player shows 3K likes, a share button, and a save button.

(*E.g.*, <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the URL [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The search results are displayed in a list format, with three items highlighted by blue boxes:

- Item 1:** A video by **MARCELLI** titled "Ne-Yo Miss Independent". It features a waveform visualization and has 6,000 likes, 191 shares, and 578K views. The video was uploaded 6 years ago.
- Item 2:** A video by **Uppermost** titled "Independent". It also features a waveform visualization and has 7,356 likes, 1,115 shares, and 519K views. The video was uploaded 6 years ago and is categorized as "#Electronic".
- Item 3:** A channel page for **IndyDistro**. The channel description reads "Independent Music Moving Forward San Francisco / United States" and shows 781 subscribers and 783 videos. A "Follow" button is visible.

Below the search results, the video player for the video "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn is visible. The video has 118,988 views and was uploaded on Jun 7, 2019. The channel name "Charles Cleyn" and "150K subscribers" are also shown.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



The screenshot shows a YouTube video player. The video title is "Battle of the Lords" by Mad Lass Music, uploaded 7 months ago. The video player includes a waveform and a comment section. The comment section features a video thumbnail with the text "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." Below the comment section is a subscribe button for the channel "Creative & Productive" (722 subscribers). The video player also shows 24 likes, a share button, and a save button. The video has 2,291 views and was posted on April 6, 2018. The video player includes a title, a waveform, a comment section, and a subscribe button for the channel "Creative & Productive".

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track description reads: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The track has 134 likes and 55 reposts. The tags include: #intense, #epic, #orchestral, #powerful, #drive, #strings, #brass, #trailer, #action, #adventure, #suspense, #aggressive, #woodkid, #chaotic, #bold, #brave, #confrontational, #dangerous, #determined, #revenge, #army, #energy. A comment by Nesrine Hamid at 1:53 says "Mais il tue ce son, il donne la niak". A comment by "You" at 1:53 says "@nesrine-hamidi-596726487: haha contente qu'il te motive :)". The page also features a "Scheduled Releases" section and a "Related tracks" section.

**Adding Keywords and Song Information in SoundCloud**

Creative & Productive  
722 subscribers [Subscribe](#)

24 [Share](#) [Save](#) [More](#)

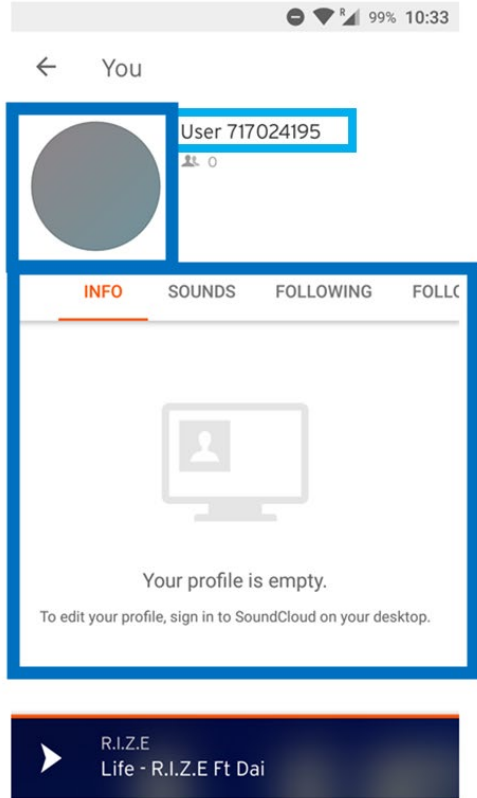
2,291 views Apr 6, 2018 [SEO for Music Licensing](#)

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

emphasizing Soundcloud's brand color and the primary CTA of the screen.

### One Way to Improve

The user profile on the Soundcloud app isn't bad, but it's missing one important feature.

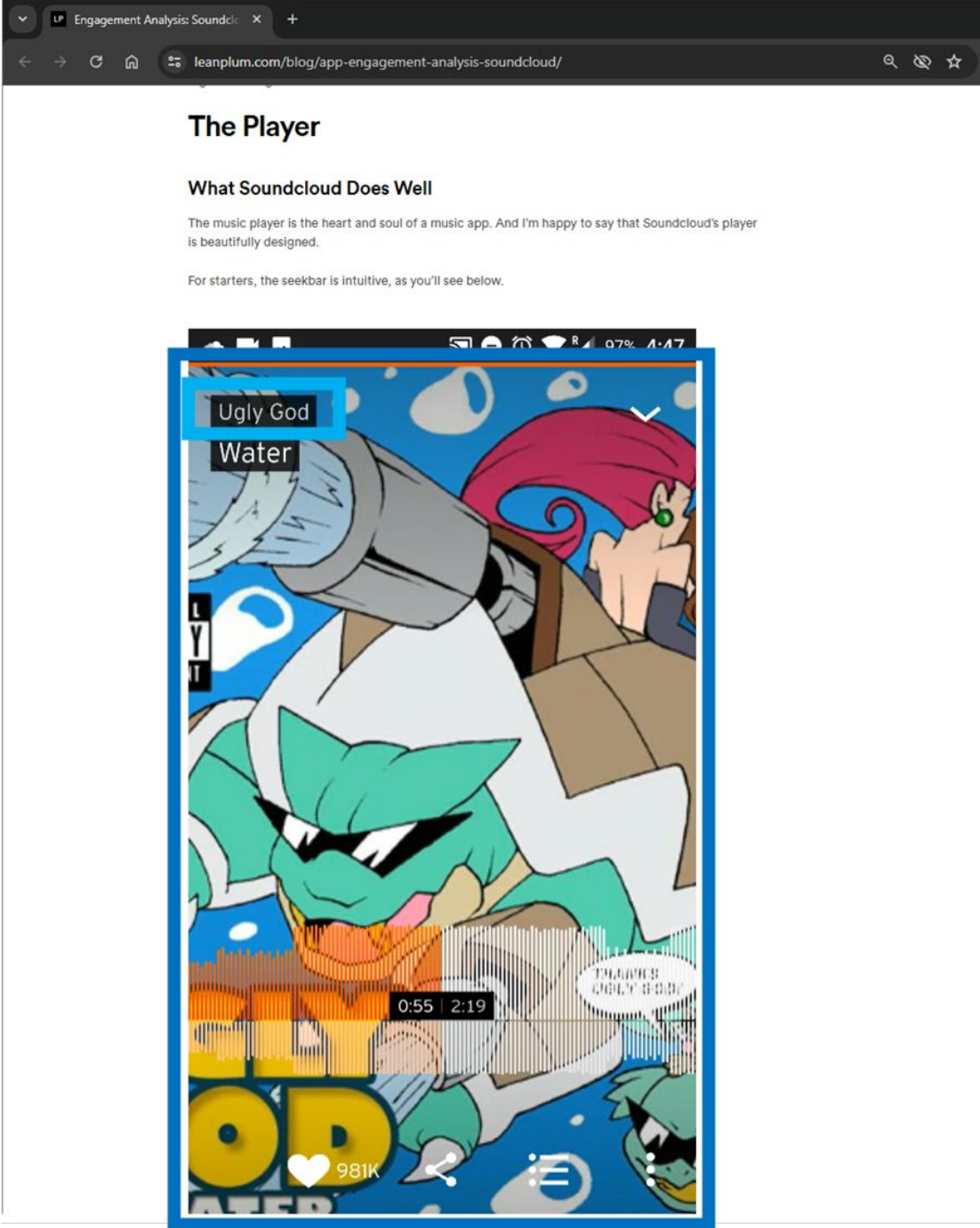


The screenshot shows a mobile interface for a SoundCloud user profile. At the top, there's a status bar with signal strength, Wi-Fi, 99% battery, and the time 10:33. Below that is a navigation bar with a back arrow and the text 'You'. The profile header shows a circular profile picture placeholder and the name 'User 717024195' with a small '0' next to it. Below the header are four tabs: 'INFO', 'SOUNDS', 'FOLLOWING', and 'FOLLOWERS'. The 'INFO' tab is selected. The main content area shows a computer monitor icon with a person silhouette, and the text 'Your profile is empty. To edit your profile, sign in to SoundCloud on your desktop.' At the bottom, there's a music player for 'R.I.Z.E Life - R.I.Z.E Ft Dai' with a play button.

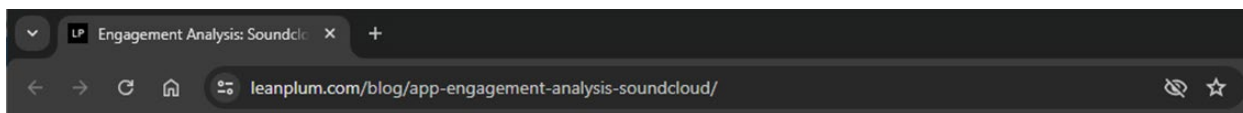
I would have gladly changed my name from User 717024195, but I guess that's not possible on mobile!

In Soundcloud's defense, this is probably more a technical issue than a UX issue. And the rest of the user profile is easy to navigate, with tabs removing the need to tap to a new screen.

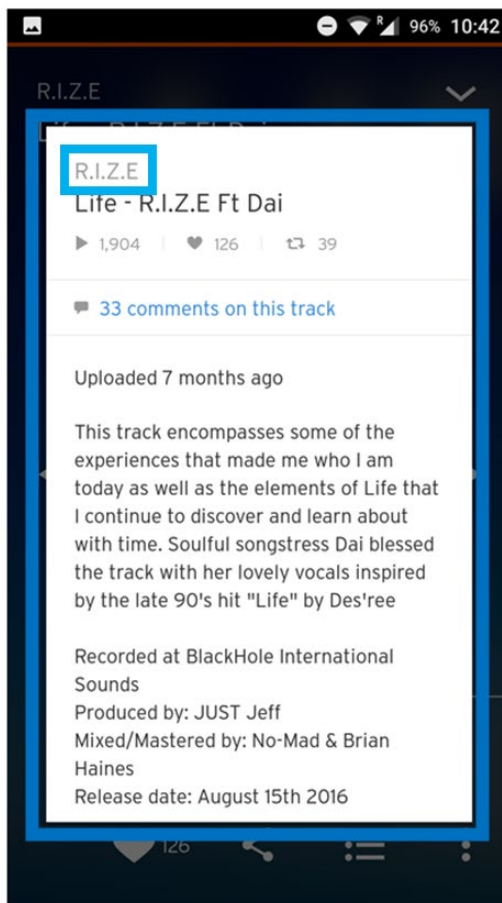
(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

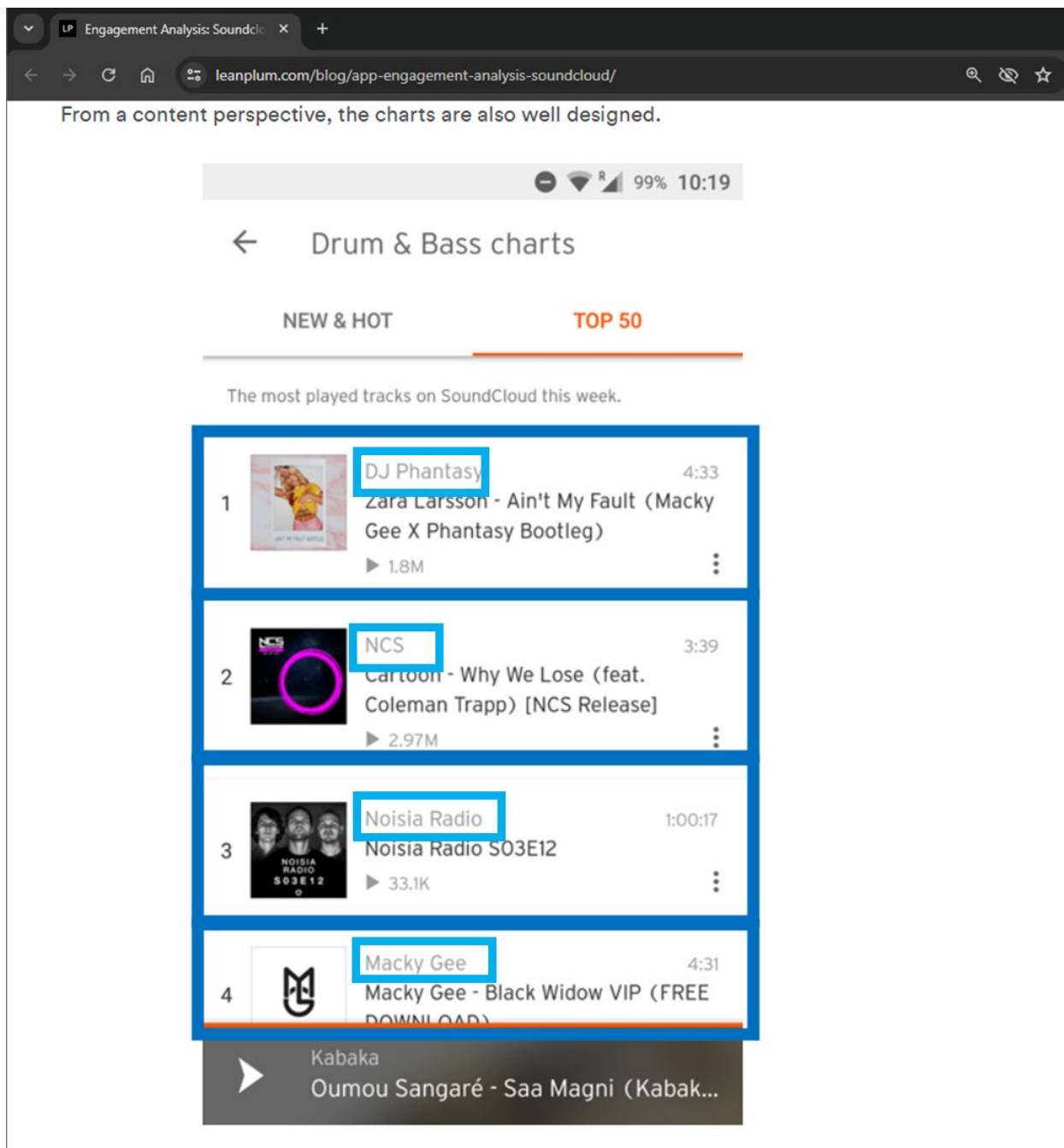


Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

50. The Accused Instrumentality electronically generates multimedia files from the retrieved electronic media submissions, in accordance with a selected digital format (e.g., a digital format compatible with a selected digital format compatible with the particular device such as a computers or smart phone incorporating one or more browsers or apps), and the identification of

the submitter is maintained with each retrieved submission within the multimedia file. As shown below, data identifying the user (submitter) includes, *e.g.*, a name identifying the user. For example, below are examples of such multimedia files being displayed within a user's browser or app, on a user device, where the identification of the submitter (*e.g.*, the name of the user-artist submitter of the profiles and/or various content as discussed above) is maintained with each retrieved submission within the multimedia file having associated multimedia content, for example as shown below.

The screenshot displays a YouTube channel page for 'Uppermost' from France. The channel banner features a profile picture of a man and a blue box with the name 'Uppermost' and a location tag 'France'. Below the banner, there are navigation tabs for 'All', 'Tracks', 'Albums', 'Playlists', and 'Reposts'. A video player is visible, showing a waveform and a track list for the album 'Given by Nature (Album)' released 9 months ago. The track list includes:

Track Name	Views
1 Given by Nature	17.6K
2 Echoes of Mystery	14.5K
3 Love Runway	17.8K
4 Under Control	12.6K
5 Through The Pain	12.7K

Channel statistics show 84.9K followers, 70 following, and 226 tracks. Social media links for Spotify, Instagram, YouTube, and Songkick are provided. The video player shows 3K likes and 52 likes for the video. The video title is 'Is Soundcloud Free | How It Works and Is Soundcloud Right For You' by Charles Cleyn, with 118,988 views and a 'Subscribe' button.

(*E.g.*, <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube video player with the search results for "independent music". The video title is "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn. The search results are highlighted with a red box and include:

- MARCELLI** - Ne-Yo Miss Independent (6 years ago, 6,000 likes, 191 shares, 578K views, 14 comments)
- Uppermost** - Independent (6 years ago, 7,356 likes, 1,115 shares, 519K views, 217 comments, #Electronic)
- IndyDistro** - Independent Music Moving Forward (San Francisco / United States, 781 followers, 783 posts)

The video player interface includes a search bar, navigation tabs (Home, Stream, Library), and a video player with a progress bar and volume control. The video title and channel name are visible below the player.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



Adding Keywords and Song Information in SoundCloud

Creative & Productive  
722 subscribers

Subscribe

24

Share

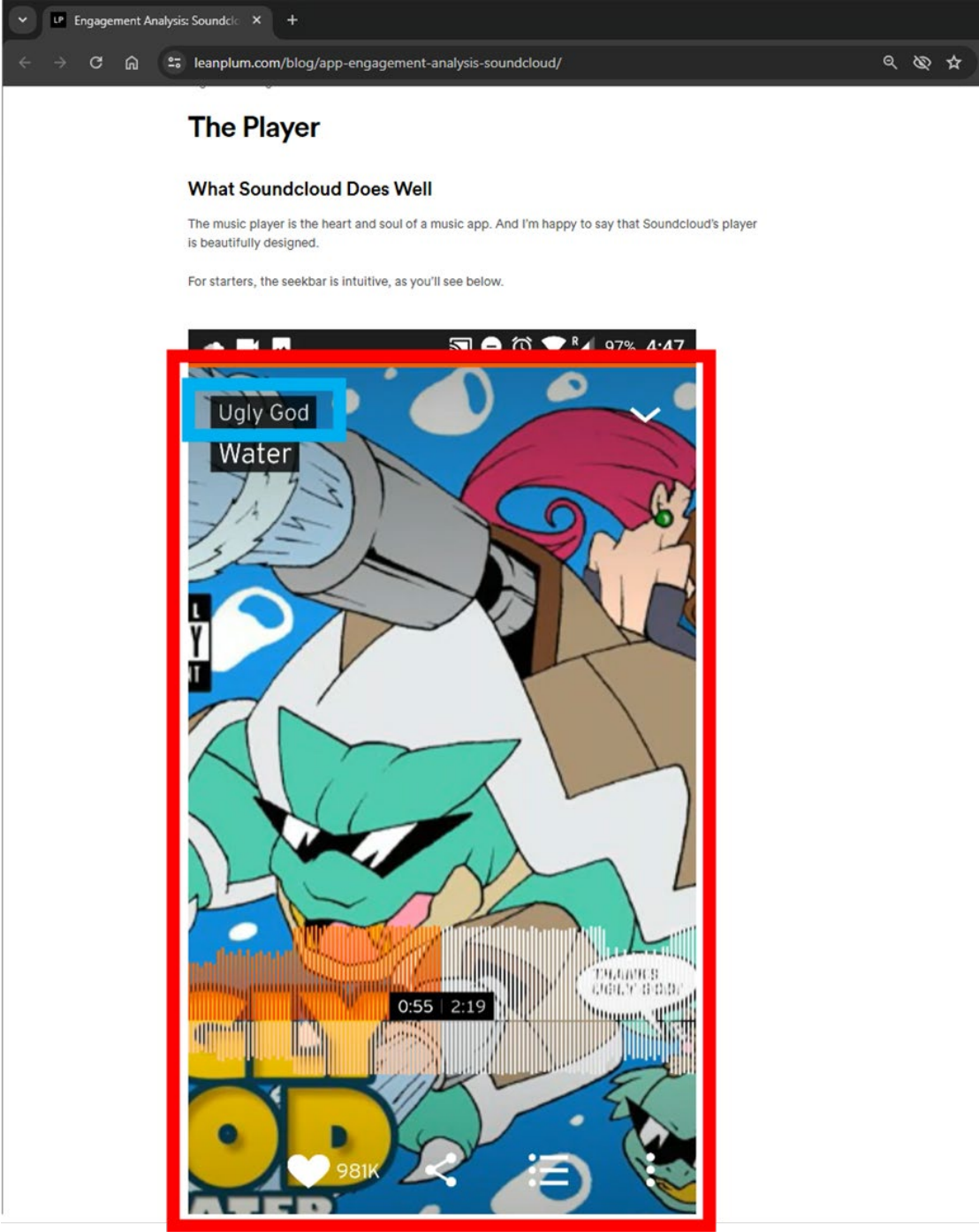
Save

2,291 views Apr 6, 2018 SEO for Music Licensing

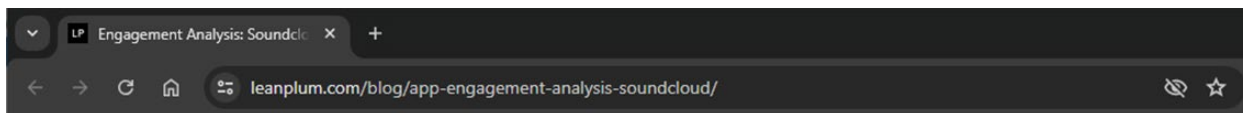
(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the address bar showing "youtube.com/watch?v=j0Pck2wty0Bt+226s". The YouTube navigation bar is visible at the top, including the search bar and user profile "Charles Cleyn". The search results are displayed in a list format. The first result is a video by "MARCELLI" titled "Ne-Yo Miss Independent", uploaded 6 years ago, with 6,000 likes and 191 comments. The second result is a video by "Uppermost" titled "Independent", also uploaded 6 years ago, with 7,356 likes and 1,115 comments. The third result is a channel page for "IndyDistro", described as "Independent Music Moving Forward" from San Francisco, with 781 subscribers and 783 videos. A red rectangular box highlights the three search results. Below the search results, the video player for the video "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" by Charles Cleyn is visible, showing 118,988 views and a "Subscribe" button.

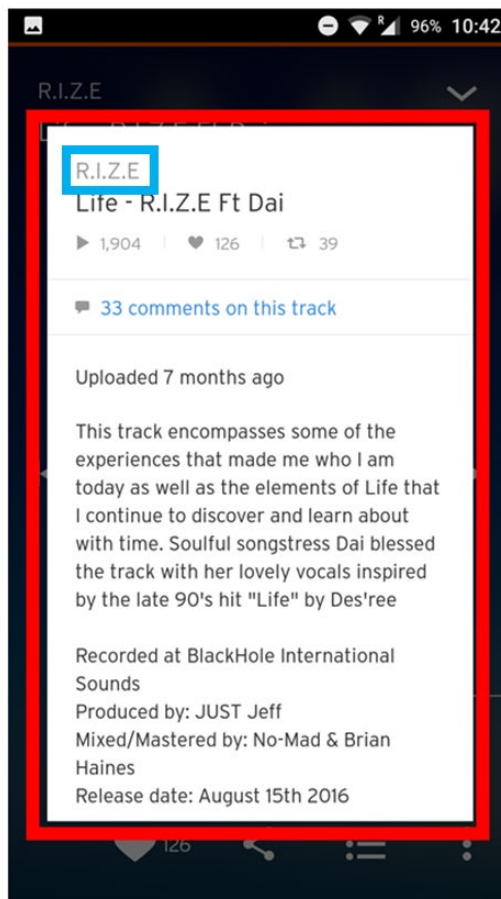
(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



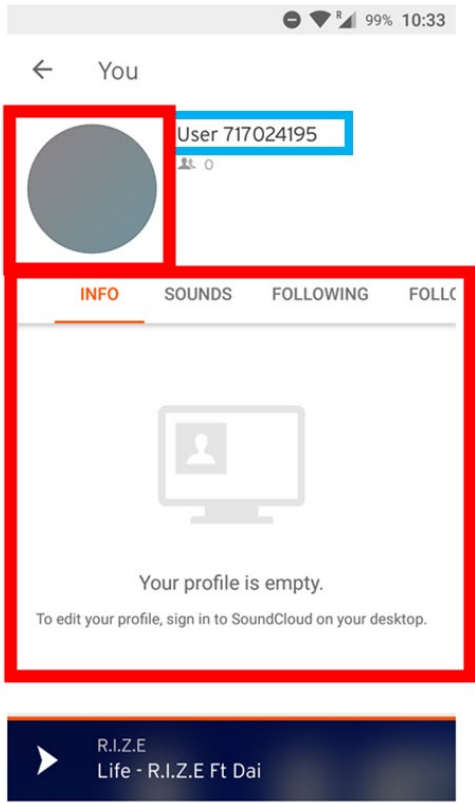
You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

emphasizing Soundcloud's brand color and the primary CTA of the screen.

### One Way to Improve

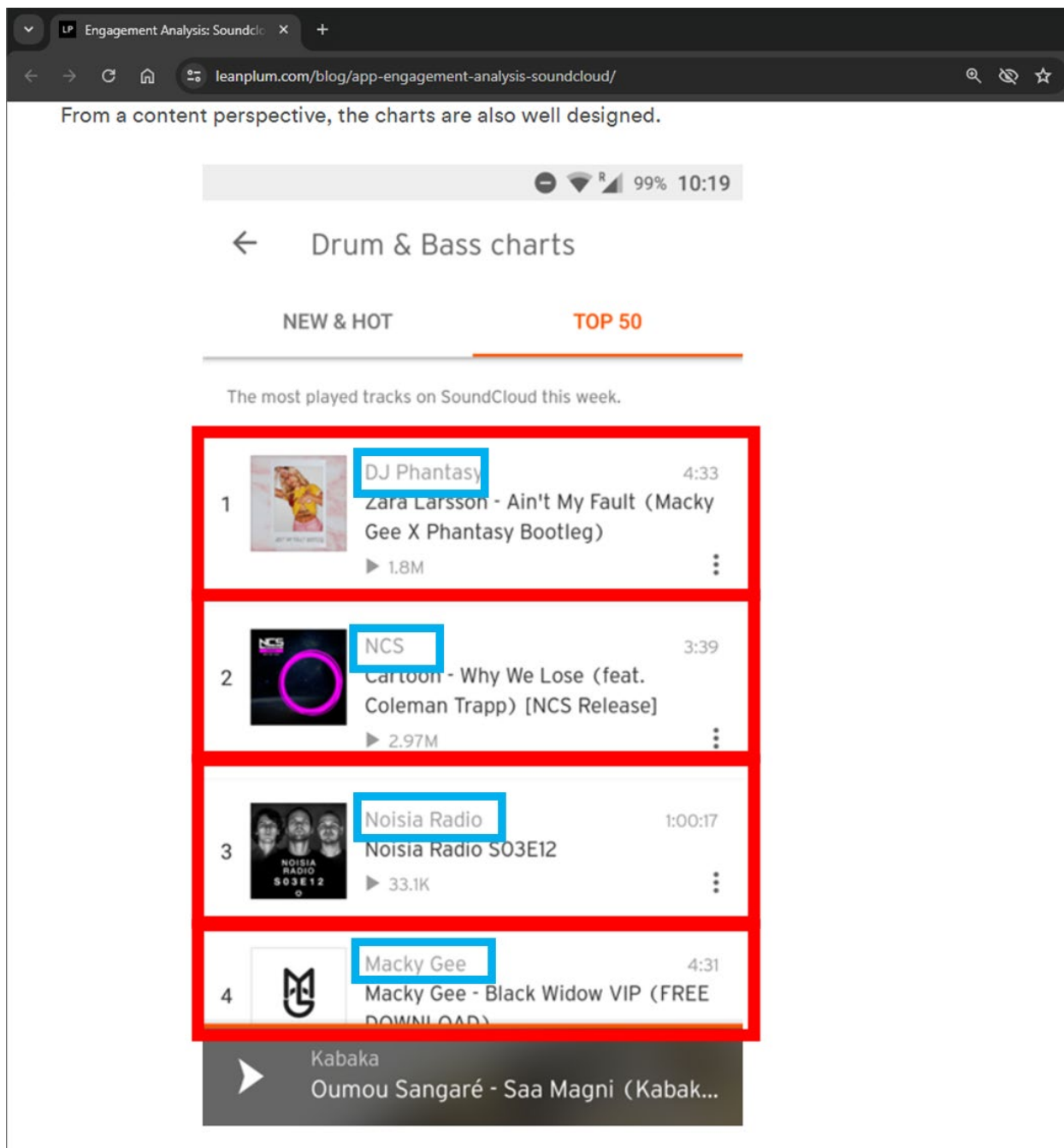
The user profile on the Soundcloud app isn't bad, but it's missing one important feature.



I would have gladly changed my name from User 717024195, but I guess that's not possible on mobile!

In Soundcloud's defense, this is probably more a technical issue than a UX issue. And the rest of the user profile is easy to navigate, with tabs removing the need to tap to a new screen.

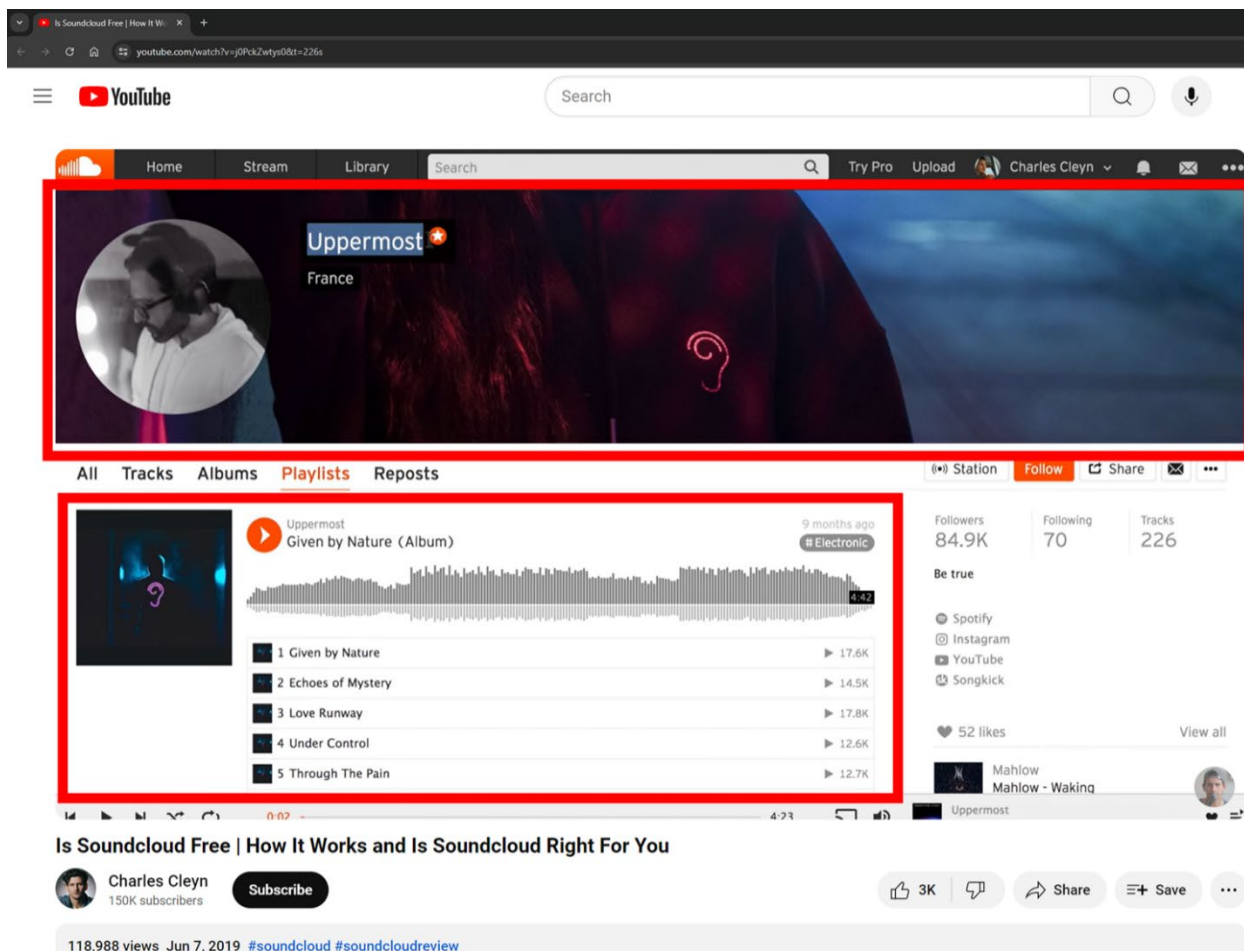
(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

51. The Accused Instrumentality employs an electronic release subsystem operatively coupled to the electronic multimedia creator server subsystem, necessarily having one or more data processing apparatus in order to serve multimedia profile, music track and/or music playlist content with associated photo, profile picture, audio, and textual content to users, configured to

make the multimedia content electronically available for viewing on one or more user devices. For example, as shown below, multimedia content associated with user-artist profiles, music tracks and playlists are provided over a public network (e.g., the Internet) on various user devices (e.g., a computer or other device with a web browser or app) in response to a user logging in to the Accused Instrumentality. Soundcloud uses function-specific subsystems, for example, as shown below.



(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

The screenshot shows a YouTube search results page for the query "independent music". The page is viewed in a browser window with the URL [youtube.com/watch?v=j0PckZwtys0&t=226s](https://www.youtube.com/watch?v=j0PckZwtys0&t=226s). The search results are displayed in a list format. The first three results are highlighted with a red border:

- MARCELLI - Ne-Yo Miss Independent**: 6 years ago, 6,000 likes, 191 shares, 578K views, 14 comments. The video thumbnail shows a person in a dark jacket.
- Uppermost - Independent**: 6 years ago, 7,356 likes, 1,115 shares, 519K views, 217 comments. The video thumbnail shows a glowing blue and purple abstract shape.
- IndyDistro**: Independent Music Moving Forward, San Francisco / United States, 781 followers, 783 subscribers. The video thumbnail shows a vinyl record.

Below the search results, the video player for "Uppermost - Independent" is visible, showing a progress bar at 4:23. Below the video player, the video title "Is Soundcloud Free | How It Works and Is Soundcloud Right For You" is displayed, along with the channel name "Charles Cleyn" (150K subscribers) and a "Subscribe" button. The video has 118,988 views and was posted on Jun 7, 2019. The video description includes the hashtags #soundcloud and #soundcloudreview.

(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).



The screenshot shows a YouTube video player. The video title is "Adding Keywords and Song Information in SoundCloud". The video content is a screen recording of a SoundCloud page for the track "Battle of the Lords" by Mad Lass Music. The SoundCloud page includes a waveform, a comment section with a video thumbnail, and a video player showing a woman speaking. The video player has a red border. The video player controls show a duration of 4:00. The video player has a red border. The video player has a red border.

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).

The screenshot shows a SoundCloud track page for "Battle of the Lords" by Mad Lass Music. The track description is: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space." The tags listed are: #intense, #epic, #orchestral, #powerful, #drive, #strings, #brass, #trailer, #action, #adventure, #suspense, #aggressive, #woodkid, #chaotic, #bold, #brave, #confrontational, #dangerous, #determined, #revenge, #army, #energy. A comment from Nesrine Hamidi at 1:53 says: "Mais il tue ce son, il donne la niak". Another comment from "You" at 1:53 says: "@nesrine-hamidi-596726487: haha contente qu'il te motive :)". The video player shows the track at 0:00 of a 4:00 duration.

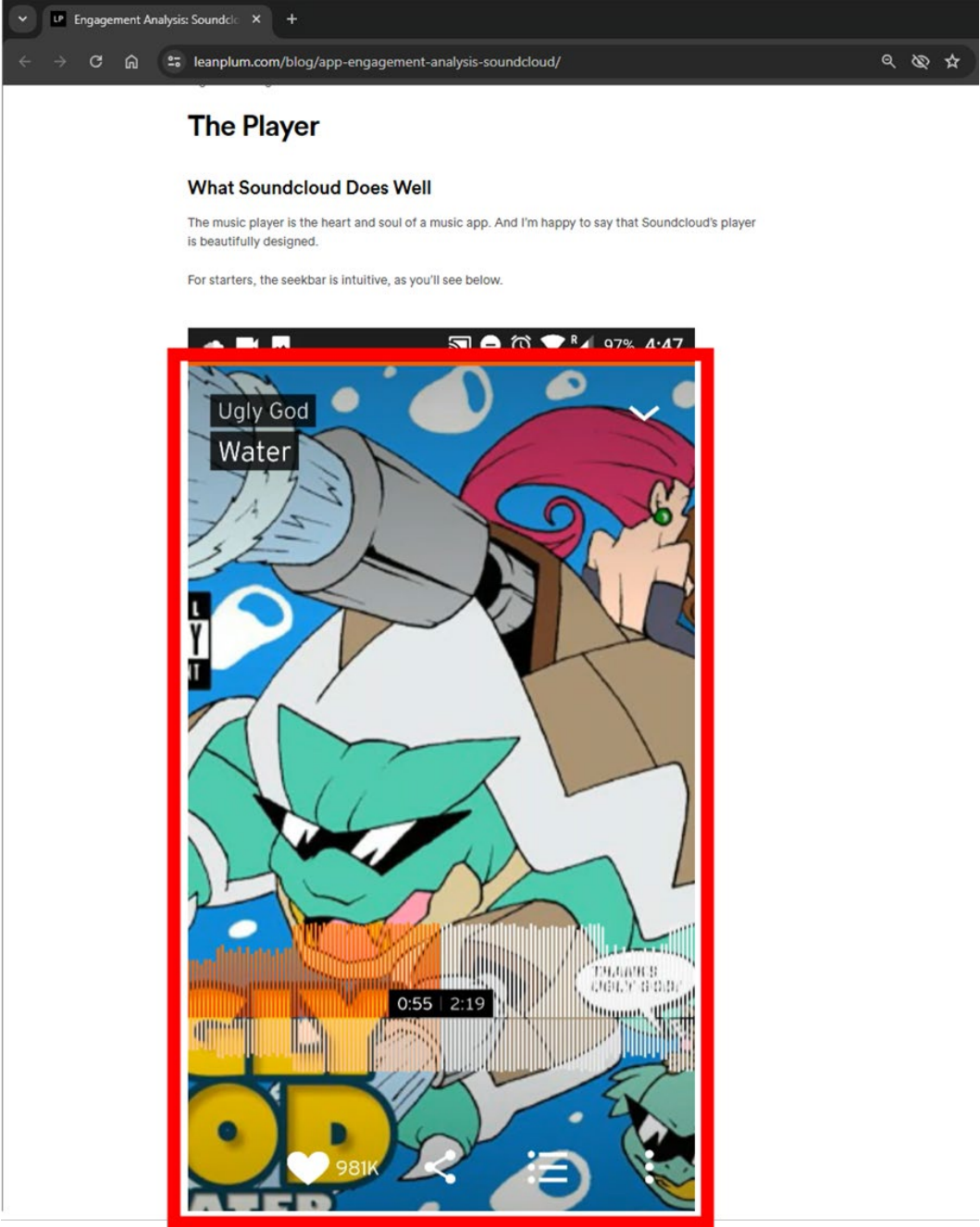
**Adding Keywords and Song Information in SoundCloud**

Creative & Productive  
722 subscribers [Subscribe](#)

24 [Share](#) [Save](#)

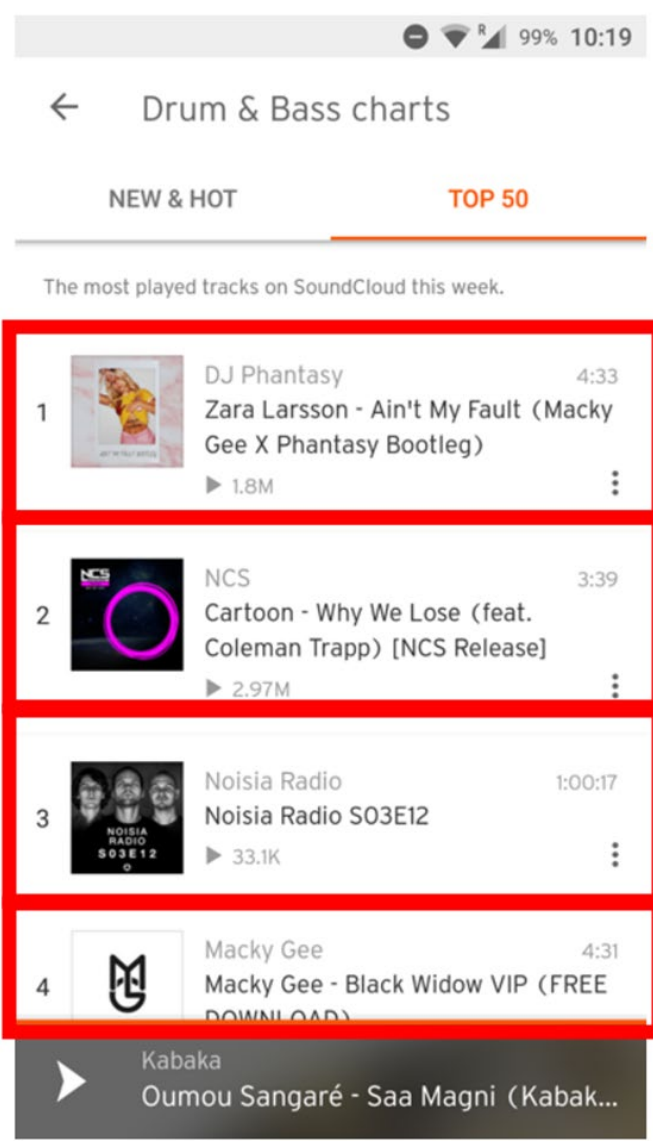
2,291 views Apr 6, 2018 [SEO for Music Licensing](#)

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).



(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

From a content perspective, the charts are also well designed.



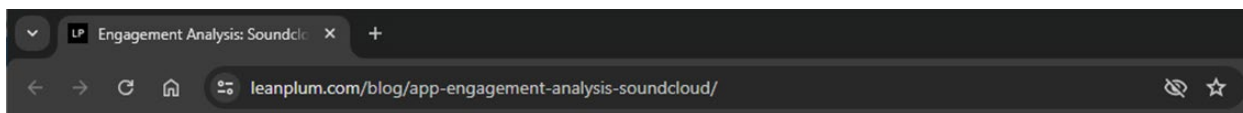
Drum & Bass charts

NEW & HOT TOP 50

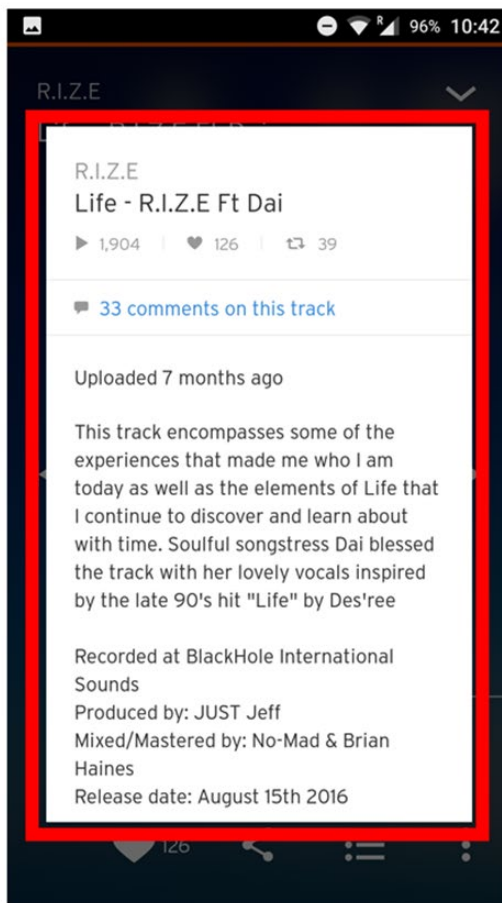
The most played tracks on SoundCloud this week.

Rank	Artist	Track Name	Duration	Plays
1	DJ Phantasy	Zara Larsson - Ain't My Fault (Macky Gee X Phantasy Bootleg)	4:33	1.8M
2	NCS	Cartoon - Why We Lose (feat. Coleman Trapp) [NCS Release]	3:39	2.97M
3	Noisia Radio	Noisia Radio S03E12	1:00:17	33.1K
4	Macky Gee	Macky Gee - Black Widow VIP (FREE DOWNLOAD)	4:31	
	Kabaka	Oumou Sangaré - Saa Magni (Kabak...)		

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).



Meanwhile, you might wonder where the track info is displayed in this relatively minimal screen. It takes a couple of clicks to reach the menu, but you can pull it up without leaving the player.



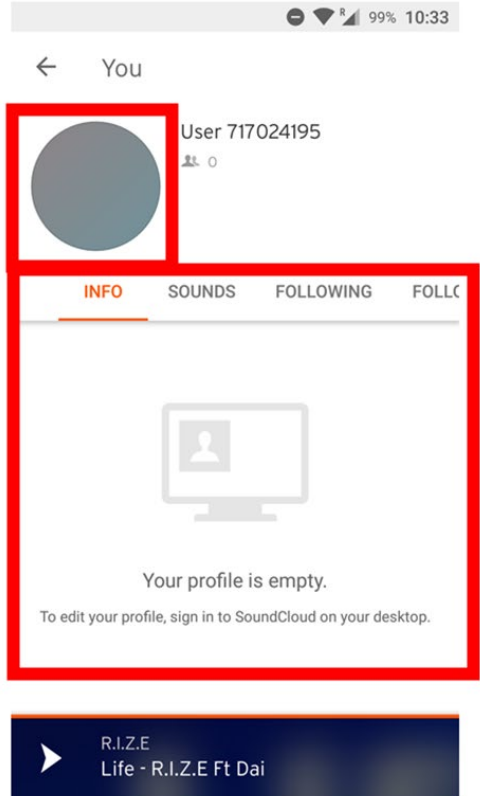
You can browse comments from this screen, and you can even leave your own comments from the menu in the bottom right.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

emphasizing Soundcloud's brand color and the primary CTA of the screen.

## One Way to Improve

The user profile on the Soundcloud app isn't bad, but it's missing one important feature.



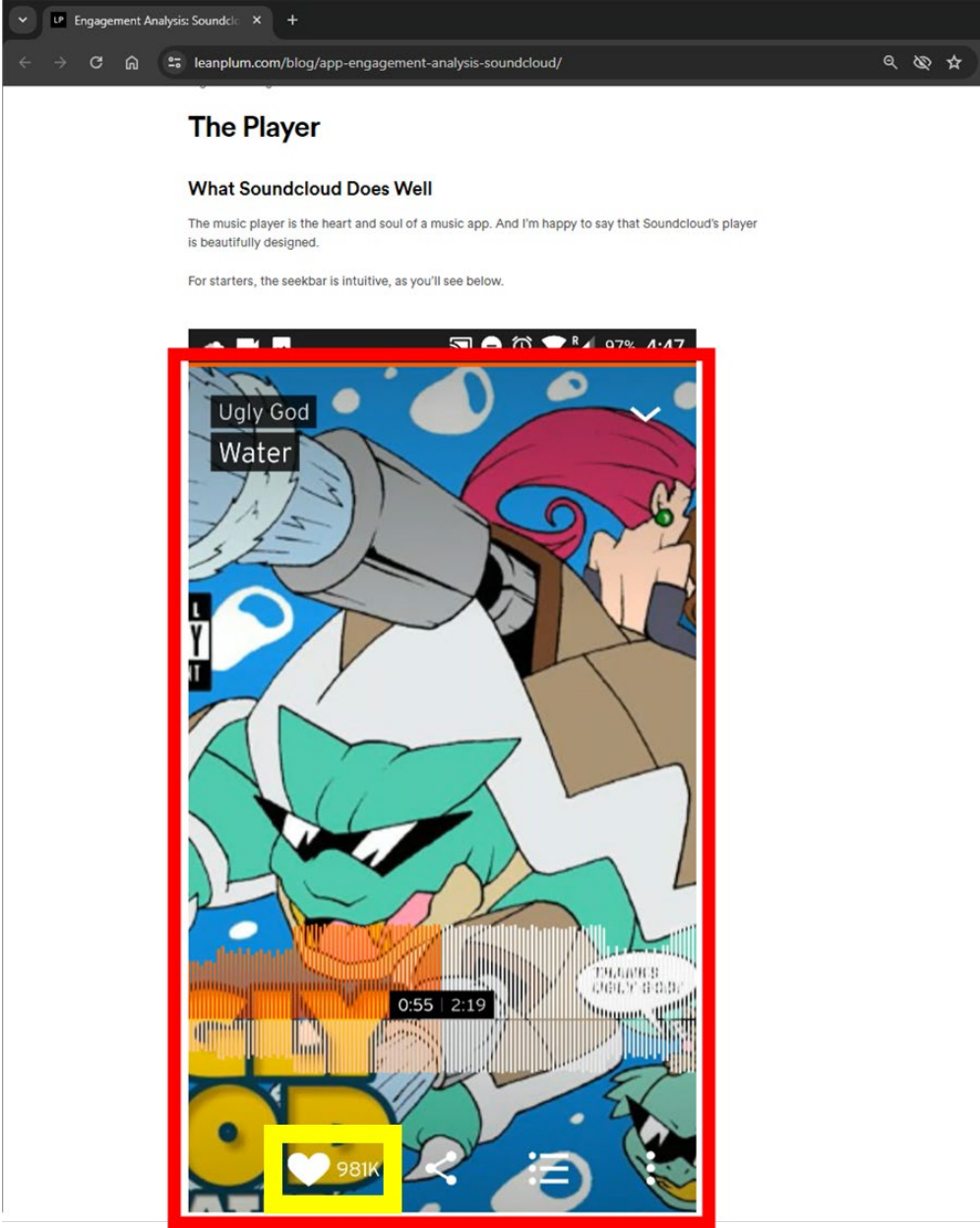
I would have gladly changed my name from User 717024195, but I guess that's not possible on mobile!

In Soundcloud's defense, this is probably more a technical issue than a UX issue. And the rest of the user profile is easy to navigate, with tabs removing the need to tap to a new screen.

(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

52. The Accused Instrumentality employs web-based graphical user interface with an electronic voting subsystem, necessarily having one or more data processing apparatus in order to track voting or electronic rating, configured to enable a user to electronically vote for or rate (e.g., by the user's choices with respect to a selection of a Heart Icon) an electronically available multimedia content (e.g., a song track having associated multimedia content provided by an user-

artist submitter, such as accompanying audio, photo and/or textual content). Soundcloud uses function-specific subsystems, for example as shown below.



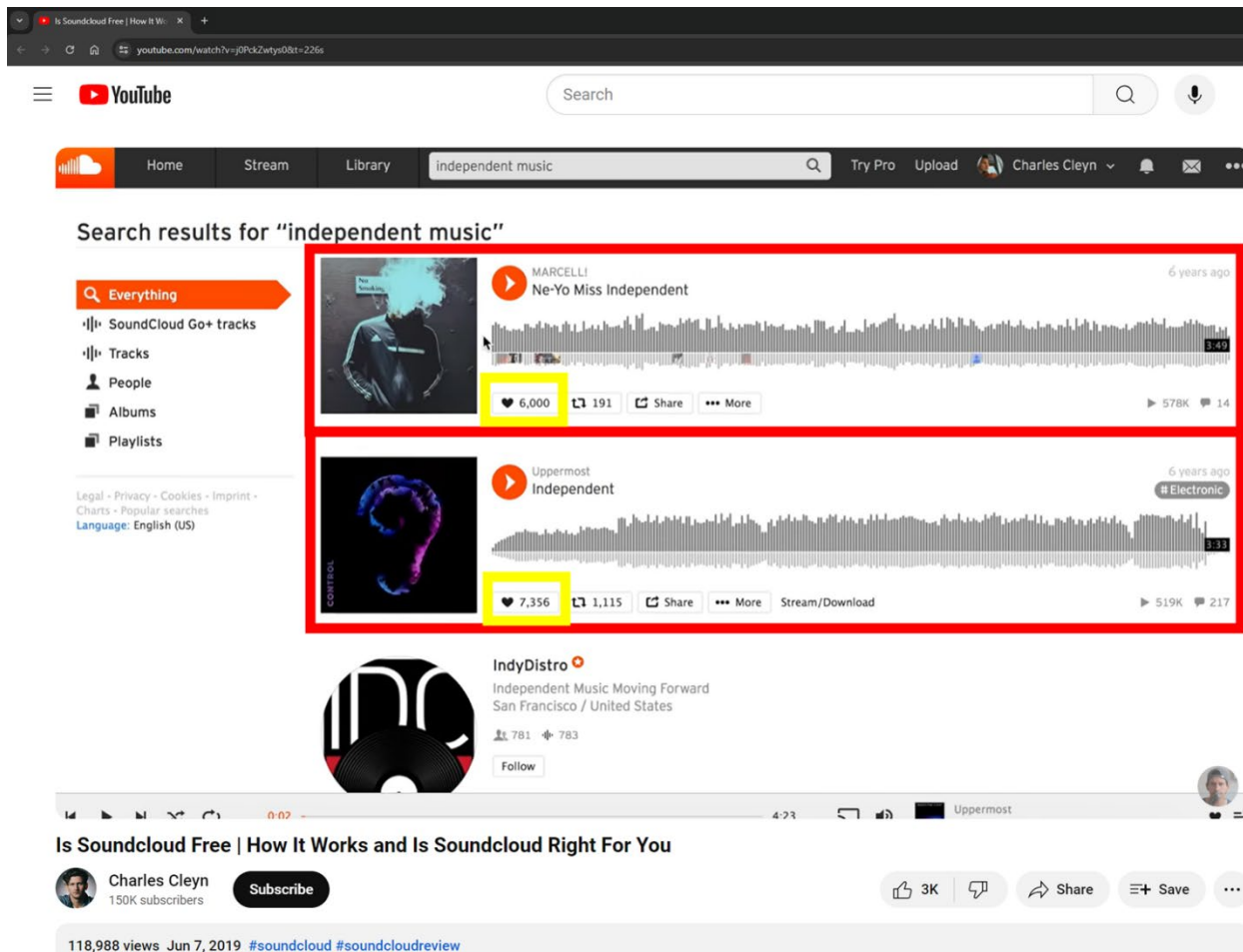
(E.g., <https://www.leanplum.com/blog/app-engagement-analysis-soundcloud/>).

The screenshot shows a YouTube video player with the following elements:

- Video Title:** Adding Keywords and Song Information in SoundCloud
- Channel:** Creative & Productive (722 subscribers)
- Video Content:** A SoundCloud track titled "Battle of the Lords" by Mad Lass Music, released 7 months ago. The track is categorized as "#Soundtrack". The video player shows a waveform and a play button. A red box highlights the track title and waveform.
- Comments:** A comment section is visible with a "Like" button highlighted in yellow. The comment text reads: "I'm a big monster and I'm angry! Or maybe I'm just hungry. In any case, this is an electro-orchestral action track, powerful and dynamic. Includes stinging strings, flutes, brass and piano. Would work for a big Marshmallow Man scene in Ghostbusters or the preparations for an epic battle in space."
- Video Thumbnail:** A small video thumbnail in the bottom right corner shows a woman speaking.
- Engagement:** The video has 24 likes, 5 comments, 1 share, and 1 save.
- Metadata:** The video has 2,291 views and was uploaded on April 6, 2018. The video description includes the text "SEO for Music Licensing".

(E.g., <https://www.youtube.com/watch?v=SrDV79306zU>).





(E.g., <https://www.youtube.com/watch?v=j0PckZwtys0&t=226s>).

53. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘665 Patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

54. To the extent marking is required, VCA has complied with all marking requirements.

## V. JURY DEMAND

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

**VI. PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

- a. Judgment that one or more claims of United States Patent No. 9,501,480 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- b. Judgment that one or more claims of United States Patent No. 9,477,665 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- c. Judgment that Defendant account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendant's infringing activities and other conduct complained of herein, and an accounting of all infringements and damages not presented at trial;
- d. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein; and
- e. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

August 22, 2024

LOAKNAUTH LAW, P.C.

OF COUNSEL:

David R. Bennett  
(*pro hac vice* to be filed)  
Direction IP Law  
P.O. Box 14184  
Chicago, IL 60614-0184  
(312) 291-1667  
dbennett@directionip.com

/s/ Nicholas Loaknauth  
Nicholas Loaknauth  
Loaknauth Law, P.C.  
1460 Broadway  
New York, NY 10036  
(212) 641-0745  
[nick@loaknauthlaw.com](mailto:nick@loaknauthlaw.com)

*Attorneys for Plaintiff*  
*Virtual Creative Artists LLC*