

# EXHIBIT 1



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# FilmOn Says It Will Defy Injunction In Boston

## Is 'Firing Up' Its TV Station Delivery Service in Boston In Wake of Aereo Court Ruling

By: John Eggerton (Broadcasting & Cable) Oct 10 2013 - 01:51pm



On the news that a Massachusetts U.S. District Court judge has [decided not to block Aereo](#) from delivering a Boston TV station online while the court considers the underlying broadcaster challenge to the service, FilmOn has said it will "defy" a court injunction and start delivering local TV stations in Boston to its users.

FilmOn founder Alki David congratulated his "archival" service and said that despite an injunction imposed by Washington, D.C., judge Rosemary Collyer, "Naturally this now allows FilmOn to fire up our Local Service," David told *B&C/Multichannel News*, despite the injunction.

On September 5, a D.C. District Court [granted a preliminary injunction against FilmOn](#). The injunction does not apply to states in the Second Circuit--New York, Connecticut and Vermont--which declined to enjoin a similar service, Aereo.

The injunction was sought by the Big Four broadcast networks, Gannett and Allbritton, who sued FilmOn for copyright infringement.

FilmOn is enjoined from "streaming, transmitting, retransmitting, or otherwise publicly performing, displaying, or distributing any Copyrighted Programming over the Internet."

Both FilmOn and Aereo deliver TV station signals online from remote antennas. Broadcasters say that is a public transmission that is subject to copyright payments not being made. Aereo and FilmOn say they are giving their users private access, via remote antennas, to the free over-the-air TV signals they are entitled to.

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**Alki** · 3 days ago

Thats because 98% of FilmOn's content is licensed you fool

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**MisterT** · 3 days ago

Where are these magic antennas and why is no one marketing them to consumers? If these miniture antennas can truly deliver signals as advertised I would think there would be a huge market for them. I would think that is the technology they should be challenging.

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**thesparky1** → **MisterT** · 3 days ago

Its very sneaky. The antennas are tiny, less than 1 inch in length and are surface mounted in arrays of hundreds of them per module. Each single antenna is supposed to represent a single subscriber in each market. Whether or not the antenna actually picks up the signal is one question. If its located close enough to the stick(s), I figure it would have minimal reception characteristics. But you can't tell me in the coming rebanding, they can expect anyone to believe you are going to get a 150 mhz signal on a 1 inch antenna from 15 miles away. Possible, but not probable.

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**MYOFFICE** · 4 days ago

The analysis is simple; each user has a separate antenna that links them to content. It does not state that each john doe has an antenna with its name on it. As long as there is not a single feed that supplies everyone they are totally complaint and providing a service. Tvonthego is a true supporter of the services and a win for them as well as any other content platform. Our technology aggregates local content and these services are needed for the mobile user. In times of emergency this is a needed service.

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**Michael Kilgore** · 4 days ago

There have been times when I have failed to "tune in" to an OTA station on FilmOn with the error message that all antennas were in use. It's possible that FilmOn is using Aereo's way of providing OTA stations, which would keep it on the right side of the legal line.

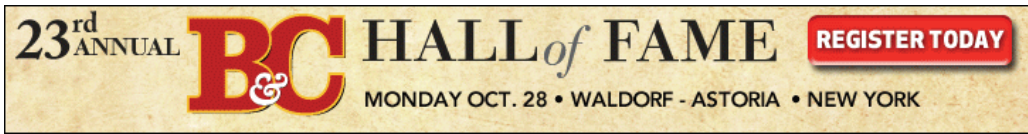
On the other hand, do you really believe that there's an antenna on Aereo's farm with Brady's name on it? It's much more likely that Brady is always welcome at the Aereo "hotel," which has only to ensure that it has a "room" for every simultaneous client.

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**Brady** · 4 days ago

I completely see the legality behind Aereo's claim: only after setting up your paid subscription, you are assigned a private antenna and DVR that only you have access



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