

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TOUCHSTREAM TECHNOLOGIES, INC.

Plaintiff,

V.

CHARTER COMMUNICATIONS, INC., et
al.,

Defendants.

TOUCHSTREAM TECHNOLOGIES, INC.

Plaintiff,

V.

COMCAST CABLE COMMUNICATIONS,
LLC, d/b/a XFINITY, et al.,

Defendants.

Lead Case No. 2:23-cv-00059-JRG
Member Case No. 2:23-cv-00062-JRG

**DECLARATION OF MICAYLA HARDISTY IN SUPPORT OF
COMCAST AND CHARTER DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101**

I, Micayla Hardisty, declare as follows pursuant to 28 U.S.C. § 1746:

I am an attorney admitted to practice before this Court and an attorney at Davis Polk & Wardwell LLP, counsel in the above-captioned matter for Defendants Comcast Cable Communications, LLC, Comcast Corporation, Comcast Cable Communications Management, LLC, and Comcast of Houston, LLC (collectively, “Comcast”). I submit this declaration in support of Comcast and Charter Defendants’ Reply in Support of their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101 (the “Reply”).

I have attached to this declaration one exhibit on which Defendants rely in support of the Reply. Pursuant to Local Rule CV-7(b), I have excerpted and highlighted the cited-to portions of the underlying materials in preparing these exhibits.

1. Attached hereto as Exhibit 12 a true and correct excerpt of U.S. Patent No. 11,086,934, entitled “Play Control of Content on a Display Device,” issued August 10, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 28, 2024
San Jose, California

A handwritten signature in black ink, appearing to read 'Micayla Hardisty', is written over a horizontal line.

Micayla Hardisty