

**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

**[PROPOSED] ORDER SUSTAINING DEFENDANTS' OBJECTIONS TO
REPORT AND RECOMMENDATION GRANTING SUMMARY JUDGMENT OF
PATENT VALIDITY UNDER 35 USC § 101**

Before the Court is Defendants Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, Comcast of Houston, LLC, and Comcast Corporation’s (together, “Comcast”) and Defendants Charter Communications, Inc., Charter Communications Operating, LLC, Time Warner Cable Enterprises, LLC, Spectrum Management Holding Company, LLC, Spectrum Gulf Coast, LLC, and Charter Communications, LLC’s (together, “Charter”), (all collectively, “Defendants”) Objections to Report and Recommendation Granting Summary Judgment of Patent Validity under 35 U.S.C. § 101 (the “Objection”).

Having considered the Objection, the Report and Recommendation, related briefing, and relevant authorities, the Court concludes that the Objection should be **SUSTAINED**.

Therefore, Defendants' Motion for Summary Judgment of Invalidity under 35 U.S.C. § 101 (Dkt. No. 86) is **GRANTED**.

Touchstream Technologies, Inc's Motion for Summary Judgment of Validity under 35 U.S.C. § 101 (Dkt. No. 88) is **DENIED**.