



TABLE OF CONTENTS

	<u>PAGE</u>
I. FACTUAL BACKGROUND.....	1
II. ARGUMENT	2
III. CONCLUSION.....	5

TABLE OF AUTHORITIES

	<u>PAGE</u>
Cases	
<i>Adasa Inc. v. Avery Dennison Corp.</i> , 55 F.4th 900 (Fed. Cir. 2022)	3
<i>Cardiac Pacemakers, Inc. v. St. Jude Med., Inc.</i> , 576 F.3d 1348 (Fed. Cir. 2009)	4
<i>Exmark Mfg. Co. Inc. v. Briggs & Stratton Power Prods. Grp., LLC</i> , 879 F.3d 1332 (Fed. Cir. 2018)	5
<i>LaserDynamics, Inc. v. Quanta Computer, Inc.</i> , 694 F.3d 51 (Fed. Cir. 2012)	2, 3, 4
<i>Maxell, Ltd. v. Apple Inc.</i> , 2021 WL 3021253 (E.D. Tex. Feb. 26, 2021)	5
<i>MLC Intell. Prop., LLC v. Micron Tech., Inc.</i> , 10 F.4th 1358 (Fed. Cir. 2021)	3, 4
<i>Niazi Licensing Corp. v. St. Jude Med. S.C., Inc.</i> , 30 F.4th 1339 (Fed. Cir. 2022)	4
<i>ResQNet.com, Inc. v. Lansa, Inc.</i> , 594 F.3d 860 (Fed. Cir. 2010)	2, 3, 4, 5
Statutes	
28 U.S.C. § 636.....	1
Rules	
Fed. R. Civ. P. 72.....	1

[REDACTED]

TABLE OF EXHIBITS

Excerpt of Pretrial Conference held on January 23, 2025	Ex. 1
Excerpt of Patent License Agreement between [REDACTED] [REDACTED] [REDACTED]	Ex. 2
Webpage entitled, [REDACTED] [REDACTED] [REDACTED]	Ex. 3
Excerpt of [REDACTED] [REDACTED]	Ex. 4
Excerpt of [REDACTED] [REDACTED]	Ex. 5
Excerpt of [REDACTED] [REDACTED] [REDACTED]	Ex. 6
Webpage entitled, [REDACTED] [REDACTED]	Ex. 7
Webpage entitled, [REDACTED] [REDACTED]	Ex. 8

[REDACTED]

Pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a), Comcast respectfully objects to the Magistrate Judge’s decision overruling Comcast’s objections to Plaintiff’s Trial Exhibit 7 (the “License Agreement”). Ex. 1 at 11:6–21:2. As set forth below, the Magistrate Judge clearly and legally erred in admitting the License Agreement, which Touchstream’s damages expert *concedes* is for non-comparable technology.¹

I. FACTUAL BACKGROUND

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Ex. 2 at -170, 174–75, 180; Ex. 3 at 1. The License Agreement is [REDACTED]

[REDACTED]

[REDACTED] See Ex. 4 at -128, 134–36; Ex. 5 at -910–11, 915–16, 934–43; Ex. 6 at -866–67, 869; *see* Ex. 2 at -170, 178.

[REDACTED]

[REDACTED] *E.g.*, Ex. 7; Ex. 8. Thus, Touchstream’s damage expert, Dr. Mangum, concedes that the License Agreement is not “for patents comparable with the patents-in-suit.” Dkt. No. 83-3 ¶ 138. Moreover, the asserted claims are all method claims while [REDACTED]

¹ Out of an abundance of caution, Comcast is filing this Objection within 14 days of the Magistrate Judge’s January 23, 2025 oral ruling on Comcast’s objections to the License Agreement. The Magistrate Judge has not issued a written order ruling on Comcast’s objections. Comcast reserves the right to supplement this Objection after the issuance of any such order.

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