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

COMCAST'S OBJECTION TO THE MAGISTRATE JUDGE'S DECISION OVERRULING COMCAST'S OBJECTIONS TO PLAINTIFF'S TRIAL EXHIBIT 7



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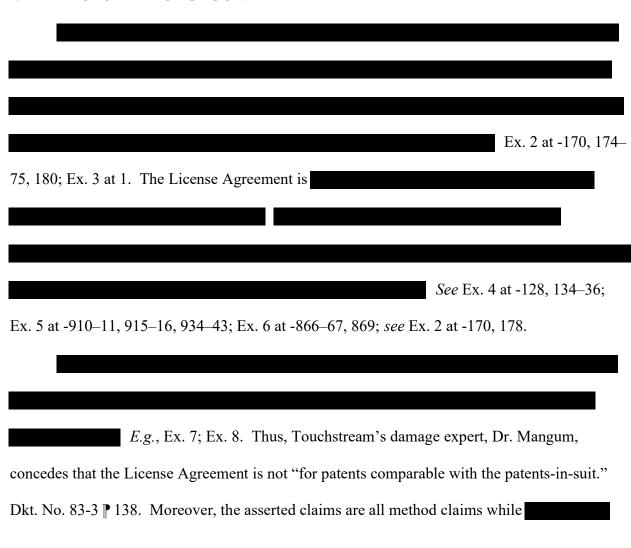
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Pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a), Comcast respectfully objects to the Magistrate Judge's decision overruling Comcast's objections to Plaintiff's Trial Exhibit 7 (the "License Agreement"). Ex. 1 at 11:6–21:2. 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



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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