

**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.

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

TOUCHSTREAM TECHNOLOGIES, INC.,

Plaintiff,

v.

**COMCAST CABLE COMMUNICATIONS,
LLC D/B/A XFINITY, et al.,**

Defendants.

JURY TRIAL DEMANDED

ORDER ON MOTION TO COMPEL

Before the Court is Touchstream Technologies, Inc.'s ("Touchstream") Motion to Compel. After consideration of said Motion, the Court finds that it should be GRANTED in full.

Comcast is hereby ORDERED to:

- 1) Produce or log its written communications on the subject of Comcast's decision to turn off the Xfinity TV Remote application and Comcast's decision to roll back the changes that were made to prevent current app users from using the accused feature;

- 2) Produce its call logs and customer feedback and inquiries about the Xfinity TV Remote application since November 2024 and Comcast's responses thereto and internal written communications about those instances of feedback and inquiries;
- 3) Supplement its response to Touchstream's Interrogatory Number 10 to include a description of who was involved in preparing business plans for the Accused Functionalities, including business plans to shut down and then reinstate the Accused Functionalities, and for each individual identified, a description of the individual's work performed on such plans and strategies;
- 4) To the extent Comcast wishes to preserve its ability to provide evidence and argument on this issue at trial, Comcast must supplement its response to Touchstream's common Interrogatory Number 9 to explain Comcast's contention on why its decision to "roll back" its sunseting of the app for current app users was not willful infringement of Touchstream's patents; and
- 5) Provide a 30(b)(6) witness for five (5) hours on the knowledge of Comcast as a company on Comcast's decision to sunset the Xfinity TV Remote application and ensuing decision to reinstate the application, once the above-requested production is complete.

Touchstream is GRANTED leave to:

- 1) Serve supplemental reports, one for each of its experts, regarding Comcast's attempt to sunset the Xfinity TV Remote application and accompanying productions and testimony;
- 2) Add six (6) pre-admitted exhibits regarding Comcast's decision to sunset (or roll back sunseting of) the Xfinity TV Remote application.