

**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.

Case No. 2:23-cv-00059-JRG

VERDICT FORM¹

In answering the following questions and completing this Verdict Form, you are to follow all the instructions that I have given you in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

¹ Submissions that are agreed to by both Touchstream and Charter are not highlighted. Submissions proposed by Touchstream that are not agreed to by Charter are highlighted in green. Submissions proposed by Charter that are not agreed to by Touchstream are highlighted in blue. The parties have entered their objections, explanations, citations, and commentary in footnotes only.

The parties reserve their respective rights to further object or propose revisions to this verdict form based on their pending motions or further development at trial.

As used in this Verdict Form, the following terms have the following meanings:

- **“Touchstream”** refers to Plaintiff Touchstream Technologies, Inc.
- **“Charter”** refers to Defendants Charter Communications, Inc., Charter Communications Operating, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC, Spectrum Gulf Coast, LLC, and Charter Communications LLC.
- The **“’251 Patent”** refers to U.S. Patent No. 8,356,251.
- The **“’751 Patent”** refers to U.S. Patent No. 11,048,751.
- The **“’934 Patent”** refers to U.S. Patent No. 11,086,934.
- The **“Asserted Patents”** refers collectively to the ’251 Patent, the ’751 Patent, and the ’934 Patent.
- The **“Asserted Claims”** refers collectively to ’251 Patent claims 1 and 7; ’751 Patent claims 12 and 13; and ’934 Patent claims 17, 18, and 20.

**IT IS VERY IMPORTANT THAT YOU FOLLOW THE
INSTRUCTIONS PROVIDED IN THIS VERDICT FORM**

**READ THEM CAREFULLY AND ENSURE THAT YOUR
VERDICT COMPLIES WITH THEM**

QUESTION 1: INFRINGEMENT

Did Touchstream prove by a preponderance of the evidence that Charter infringed any of the following claims?

For each claim, answer “Yes” (for Touchstream) or “No” (for Charter).

'251 Patent:

Claim 1: Yes _____ No _____

Claim 7: Yes _____ No _____

'751 Patent:

Claim 12: Yes _____ No _____

Claim 13: Yes _____ No _____

'934 Patent:

Claim 17: Yes _____ No _____

Claim 18: Yes _____ No _____

Claim 20: Yes _____ No _____

If you answered “Yes” to any of the above questions, please proceed to Question 2.

If you answered “No” to all of the above questions, do not answer any further questions, and go directly to the final page of the verdict form.

QUESTION 2: WILLFUL INFRINGEMENT

Did Touchstream prove by a preponderance of the evidence that Charter's infringement of any of the following patents was willful?

For each patent, answer "Yes" (for Touchstream) or "No" (for Charter).

If you answered "No" for all claims in a particular patent in Question 1, do not answer the corresponding question regarding that patent below.

'251 Patent: Yes _____ No _____

'751 Patent: Yes _____ No _____

'934 Patent: Yes _____ No _____

Continue to Question 3.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.