

EXHIBIT 1



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

JURY TRIAL DEMANDED

Member Case No. 23-cv-00062-JRG

JURY TRIAL DEMANDED

**TOUCHSTREAM TECHNOLOGIES, INC.'S SUPPLEMENTAL
RESPONSES AND OBJECTIONS TO COMCAST DEFENDANTS'
SECOND SET OF INTERROGATORIES (NO. 5)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Touchstream Technologies, Inc. ("Touchstream"), by and through undersigned counsel, hereby makes the following responses and objections to the Second Set of Interrogatories by Comcast Cable Communications, LLC, d/b/a Xfinity; Comcast Cable Communications Management, LLC; and Comcast of Houston, LLC (collectively, "Comcast").

Touchstream has not completed its discovery, investigation, research, or trial preparation. The following Responses are based solely on the information that is presently available and specifically known to Touchstream, and are given without prejudice to Touchstream's right to produce evidence of any subsequently-discovered facts. Touchstream reserves the right to

supplement the following responses and to change any and all responses therein as additional facts are ascertained, analyses are made, and research is completed.

Any Response supplied by Touchstream will be subject to all objections as to competence, relevance, materiality, propriety, admissibility, and any and all other objections on any grounds that would require the exclusion of the response or information if such were offered in evidence, and all such objections and grounds are hereby expressly reserved and may be interposed at the time of trial.

No incidental or implied admissions are intended by the responses herein. The fact that Touchstream has provided a Response to any particular Interrogatory should not be taken as an admission that Touchstream accepts or admits the existence of any fact, interpretation, or conclusion of law set forth or assumed by such Interrogatory, or that said Response constitutes admissible evidence. The fact that Touchstream has provided a Response to any Interrogatory is not intended to be, and shall not be construed as, a waiver by Touchstream of any part of any objection to any such Interrogatory.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

A. Touchstream objects to the definitions of “Touchstream,” “You,” and “Your” as overly broad, unduly burdensome, vague, and including individuals and entities over which Touchstream has no control. Touchstream understands said terms to refer to Touchstream Technologies, LLC.

B. Touchstream objects to the definition of “Touchstream Products” to the extent it prematurely requires expert testimony, identification, and analysis of the products and services that practice the asserted Touchstream patents. To the extent Touchstream addresses its products and services in its responses, it should be understood as disclosing information related only to its commercial products and services, and not as an assertion of practicing any and/or all of the

Patents-in-Suit. Touchstream will identify whether and how its products and services practice its patents as required by the Docket Control Order in this case and the Rules of Practice for Patent Cases before the Eastern District of Texas.

C. Touchstream objects to any definition and/or instruction that seeks to impose a burden beyond that provided by the Federal Rules of Civil Procedure or any applicable Local Rule. Touchstream's Responses are provided in accordance with the Federal Rules of Civil Procedure and the Local Rules.

INTERROGATORIES

INTERROGATORY NO. 5:

Identify all persons that hold a financial interest in Touchstream, the asserted patents, or this litigation, including any individuals identified in Touchstream's initial disclosures and any potential or actual witnesses in this case (whether deposition, trial or otherwise), and the extent and nature of each such person's financial interests.

RESPONSE:

Touchstream objects to this Interrogatory because it seeks information protected by the attorney-client privilege, work-product immunity, or any other applicable protection from discovery. Touchstream will not provide information that is protected by the attorney-client privilege, work-product immunity, or any other applicable protection. Touchstream also objects to this Interrogatory, as the phrase "potential or actual witness" is vague and ambiguous.

Touchstream further objects to this Interrogatory to the extent it seeks information regarding, "all persons that hold a financial interest in Touchstream, the asserted patents, or this litigation" and "the extent and nature of each such person's financial interests" as these phrases are vague, ambiguous, overly broad, unduly burdensome, and not narrowly tailored to obtain information relevant to the claims and defenses in this case.

[REDACTED]

Touchstream further objects to the relevance of the financial interest of any person who is not even a “potential” witness, and objects that the burden of such a request is disproportionate to any benefit in this lawsuit, especially given the complex nature of how financial holdings change over time in a company like Touchstream. Touchstream is willing to meet and confer on this issue, including on who is a “potential witness,” where Touchstream does not know who Comcast plans to potentially examine at trial or by deposition.

The following Response is based solely on the information that is presently available and specifically known to Touchstream. The following Response is given without prejudice to Touchstream’s right to produce evidence of any subsequently-discovered fact(s). Subject to and without waiving the foregoing objections, Touchstream responds as follows:

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Supplemental Response (March 29, 2024):

In addition to the foregoing response, and without waiving any of its stated objections, Touchstream provides the following additional response:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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