

**U.S. District Court
Eastern District of TEXAS [LIVE] (Marshall)
CIVIL DOCKET FOR CASE #: 2:23-cv-00059-JRG**

Touchstream Technologies, Inc. v. Charter Communications, Inc. et al
Assigned to: District Judge Rodney Gilstrap
Cause: 35:271 Patent Infringement

Date Filed: 02/16/2023
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Touchstream Technologies, Inc.

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TERMINATED: 03/04/2024
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V.

Defendant

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Defendant

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V.

Consol Defendant

Comcast Cable Communications, LLC
d/b/a Xfinity
Consolidated Civil Action 2:23cv62

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Consol Defendant

Comcast of Houston, LLC
Consolidated Civil Action 2:23cv62

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Date Filed	#	Docket Text
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02/16/2023	<u>1</u>	COMPLAINT <i>for Patent Infringement</i> against All Defendants (Filing fee \$ 402 receipt number ATXEDC-9361108.), filed by Touchstream Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A - '251 Patent, # <u>2</u> Civil Cover Sheet)(Gray, Michael) (Entered: 02/16/2023)
02/16/2023	<u>2</u>	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Gray, Michael) (Entered: 02/16/2023)
02/16/2023	<u>3</u>	CORPORATE DISCLOSURE STATEMENT filed by Touchstream Technologies, Inc. (Gray, Michael) (Entered: 02/16/2023)
02/17/2023		Case assigned to District Judge Rodney Gilstrap. (ch,) (Entered: 02/17/2023)
02/17/2023		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (ch,) (Entered: 02/17/2023)
02/17/2023	<u>4</u>	SUMMONS Issued as to Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC. (Attachments: # <u>1</u> Summons(es), # <u>2</u> Summons(es), # <u>3</u> Summons(es), # <u>4</u> Summons(es))(ch,) (Entered: 02/17/2023)
03/15/2023	<u>5</u>	SUMMONS Returned Executed by Touchstream Technologies, Inc.. Charter Communications, Inc. served on 3/1/2023, answer due 3/22/2023. (Gray, Michael) (Entered: 03/15/2023)
03/15/2023	<u>6</u>	SUMMONS Returned Executed by Touchstream Technologies, Inc.. Charter Communications Operating, LLC served on 3/1/2023, answer due 3/22/2023. (Gray, Michael) (Entered: 03/15/2023)
03/15/2023	<u>7</u>	SUMMONS Returned Executed by Touchstream Technologies, Inc.. Spectrum Management Holding Company, LLC served on 3/1/2023, answer due 3/22/2023. (Gray, Michael) (Entered: 03/15/2023)
03/15/2023	<u>8</u>	SUMMONS Returned Executed by Touchstream Technologies, Inc.. Spectrum Gulf Coast, LLC served on 3/6/2023, answer due 3/27/2023. (Gray, Michael) (Entered: 03/15/2023)
03/15/2023	<u>9</u>	SUMMONS Returned Executed by Touchstream Technologies, Inc.. Time Warner Cable Enterprises, LLC served on 3/1/2023, answer due 3/22/2023. (Gray, Michael) (Entered: 03/15/2023)
03/21/2023	<u>10</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC.(Dacus, Deron) (Entered: 03/21/2023)
03/21/2023	<u>11</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Spectrum Gulf Coast, LLC.(Dacus, Deron) (Entered: 03/21/2023)
03/21/2023		Defendant's Unopposed First Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Spectrum Management Holding Company, LLC to 5/8/2023; Charter Communications Operating, LLC to 5/8/2023; Charter Communications, Inc. to 5/8/2023; Time Warner Cable Enterprises, LLC to 5/8/2023. 45 Days Granted for Deadline Extension.(nkl,) (Entered: 03/21/2023)

03/21/2023		Defendant's Unopposed First Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Spectrum Gulf Coast, LLC to 5/8/2023. 42 Days Granted for Deadline Extension.(nkl,) (Entered: 03/21/2023)
04/17/2023	12	CONSOLIDATION ORDER - The above-captioned cases are hereby ORDERED to be CONSOLIDATED for all pretrial issues with the LEAD CASE, Case No. 2:23-cv-00060. All parties are instructed to file any future filings in the LEAD CASE. Individual cases remain active for trial., Cases associated.. Signed by District Judge Rodney Gilstrap on 4/17/2023. (nkl,) (Entered: 04/18/2023)
06/05/2023	13	SUMMONS Issued as to Charter Communications LLC per Amended Compliant filed in lead case 2:23-cv-60 (ch,) (Entered: 06/05/2023)
03/01/2024	14	ORDER - Court issues this Order sua sponte. The Court hereby SETS a telephonic status conference in the above-captioned Member Case No. 2:23-cv-00059-JRG for Monday, March 4, 2024, at 2:00 p.m. CST Telephone Conference set for 3/4/2024 at 02:00 PM before District Judge Rodney Gilstrap. Signed by District Judge Rodney Gilstrap on 3/1/2024. (ch,) (Entered: 03/01/2024)
03/04/2024	15	ORDER - Attorney Michael William Gray terminated.. Signed by District Judge Rodney Gilstrap on 3/4/2024. (nkl,) (Entered: 03/04/2024)
03/14/2024	16	ORDER - The Court issues this Order sua sponte. the Lead Case is hereby DECONSOLIDATED from Member Case Nos. 2:23-cv-00059-JRG and 2:23-cv-00062-JRG. It is further ORDERED that Member Case Nos. 2:23-cv-00059-JRG and 2:23-cv- 00062-JRG remain CONSOLIDATED for pretrial purposes, with Case No. 2:23-cv- 00059-JRG being designated as the new lead case. Signed by District Judge Rodney Gilstrap on 3/14/2024. (nkl,) (Entered: 03/14/2024)
03/18/2024	17	Sealed Document. Reply to Response to Motion (23-cv-60, Dkt. 82) (Attachments: # 1 Affidavit/Declaration of Melissa A. Brown, # 2 Exhibit 14, # 3 Exhibit 15, # 4 Exhibit 16, # 5 Exhibit 17, # 6 Exhibit 18, # 7 Exhibit 19, # 8 Exhibit 20)(Brown, Melissa) (Entered: 03/18/2024)
03/19/2024	18	REDACTION <i>Regarding Sealed Response Filed As [Dkt. 155] Case No. 2:23-cv-00060</i> by Touchstream Technologies, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit X, # 25 Exhibit Y, # 26 Exhibit Z, # 27 Exhibit AA, # 28 Exhibit BB, # 29 Exhibit CC, # 30 Exhibit DD, # 31 Exhibit EE, # 32 Exhibit FF, # 33 Exhibit GG, # 34 Exhibit HH)(Dykal, Ryan) (Entered: 03/19/2024)
03/25/2024	19	NOTICE of Attorney Appearance by Daniel Reisner on behalf of Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC (Reisner, Daniel) (Entered: 03/25/2024)
03/25/2024	20	Sealed Document. Sur-reply in Opposition to Motion (Filed As Dkt. 82, Case No. 2:23-cv-00060). (Dykal, Ryan) (Entered: 03/25/2024)
03/25/2024	21	NOTICE of Attorney Appearance by David S Benyacar on behalf of Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC (Benyacar, David) (Entered: 03/25/2024)

03/25/2024	22	NOTICE of Attorney Appearance by Dina M Hayes on behalf of Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC (Hayes, Dina) (Entered: 03/25/2024)
03/25/2024	23	NOTICE of Attorney Appearance by Melissa A. Brown on behalf of Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC (Brown, Melissa) (Entered: 03/25/2024)
03/25/2024	24	NOTICE of Attorney Appearance by Robert W. Stout on behalf of Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC (Stout, Robert) (Entered: 03/25/2024)
03/25/2024	25	REDACTION to 17 Sealed Document, <i>Reply to Response to Motion to Dismiss (23-cv-60, Dkt. 82)</i> by Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC. (Attachments: # 1 Affidavit/Declaration of Melissa A. Brown, # 2 Exhibit 14 to 16 (under seal), # 3 Exhibit 17, # 4 Exhibit 18, # 5 Exhibit 19 to 20 (under seal))(Brown, Melissa) (Entered: 03/25/2024)
03/26/2024	26	NOTICE of Attorney Appearance by Ashok Ramani on behalf of Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC (Ramani, Ashok) (Entered: 03/26/2024)
03/26/2024	27	NOTICE of Attorney Appearance by David Lisson on behalf of Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC (Lisson, David) (Entered: 03/26/2024)
03/26/2024	28	NOTICE of Attorney Appearance by James Y Park on behalf of Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC (Park, James) (Entered: 03/26/2024)
03/26/2024	29	NOTICE of Attorney Appearance by Micayla Hardisty on behalf of Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC (Hardisty, Micayla) (Entered: 03/26/2024)
03/28/2024	30	SECOND AMENDED COMPLAINT <i>For Patent Infringement</i> against <i>For Patent Infringement</i> Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC, filed by Touchstream Technologies, Inc.. (Attachments: # 1 Exhibit 1 - '251 Patent, # 2 Exhibit 2 - '751 Patent, # 3 Exhibit 3 - '934 Patent)(Dykal, Ryan) (Entered: 03/28/2024)
04/01/2024	31	REDACTION to 20 Sealed Document <i>PLAINTIFF TOUCHSTREAM TECHNOLOGIES, INC.'S SUR-REPLY TO DEFENDANT CHARTER COMMUNICATIONS, INC., ET AL.'S AMENDED MOTION TO DISMISS FOR IMPROPER VENUE AND FOR FAILURE TO STATE A CLAIM FOR WILLFUL INFRINGEMENT</i> by Touchstream Technologies, Inc.. (Dykal, Ryan) (Entered: 04/01/2024)
04/04/2024	32	NOTICE OF COMPLIANCE by Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC <i>Preliminary Election of Asserted Prior Art</i> (Lisson, David) (Entered: 04/04/2024)

04/04/2024	33	NOTICE OF COMPLIANCE by Charter Communications LLC, Charter Communications Operating, LLC, Charter Communications, Inc., Spectrum Gulf Coast, LLC, Spectrum Management Holding Company, LLC, Time Warner Cable Enterprises, LLC [<i>Regarding Charter Defendants' Preliminary Election of Asserted Prior Art</i>] (Reisner, Daniel) (Entered: 04/04/2024)
04/04/2024	34	NOTICE (<i>Defendants' Notice of Submission of Technical Tutorial</i>) by Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC (Attachments: # 1 Exhibit A)(Lisson, David) (Entered: 04/04/2024)
04/04/2024	35	NOTICE OF COMPLIANCE by Touchstream Technologies, Inc. <i>Regarding Touchstream's Technology Tutorial</i> (Attachments: # 1 Exhibit A)(Dykal, Ryan) (Entered: 04/04/2024)
04/04/2024	36	OPENING CLAIM CONSTRUCTION BRIEF filed by Touchstream Technologies, Inc. (Dykal, Ryan) (Entered: 04/04/2024)
04/10/2024	37	SEALED MOTION <i>to Compel Information Regarding Financial Interests</i> by Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC. (Attachments: # 1 Proposed Order, # 2 Exhibit 1) (Ramani, Ashok) (Entered: 04/10/2024)
04/11/2024	38	MOTION to Dismiss <i>Plaintiff's Claims of Pre-suit Willful Infringement of the '751 and '934 Patents</i> by Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC. (Attachments: # 1 Proposed Order)(Lisson, David) (Entered: 04/11/2024)
04/16/2024	39	REDACTION to 37 SEALED MOTION <i>to Compel Information Regarding Financial Interests</i> by Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC. (Attachments: # 1 Exhibit 1 (Filed Under Seal))(Ramani, Ashok) (Entered: 04/16/2024)
04/18/2024	40	DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF filed by Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC d/b/a Xfinity, Comcast of Houston, LLC. (Attachments: # 1 Affidavit/Declaration of A. Farber, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7)(Lisson, David) (Entered: 04/18/2024)

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