## 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 Member Case No. 2:23-cv-00062-JRG

## DECLARATION OF MICAYLA HARDISTY IN SUPPORT OF COMCAST AND CHARTER DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101

I, Micayla Hardisty, declare as follows pursuant to 28 U.S.C. § 1746:

I am an attorney admitted to practice before this Court and an attorney at Davis Polk & Wardwell LLP, counsel in the above-captioned matter for Defendants Comcast Cable Communications, LLC, Comcast Corporation, Comcast Cable Communications Management, LLC, and Comcast of Houston, LLC (collectively, "Comcast"). I submit this declaration in support of Comcast and Charter Defendants' Reply in Support of their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101 (the "Reply").

I have attached to this declaration one exhibit on which Defendants rely in support of the Reply. Pursuant to Local Rule CV-7(b), I have excerpted and highlighted the cited-to portions of the underlying materials in preparing these exhibits.

1. Attached hereto as Exhibit 12 a true and correct excerpt of U.S. Patent No. 11,086,934, entitled "Play Control of Content on a Display Device," issued August 10, 2021.



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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 28, 2024

San Jose, California

Micayla Hardisty

