

**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 ALENA FARBER IN SUPPORT OF
DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Alena Farber, declare as follows:

1. I am an attorney admitted *pro hac vice* before this Court and an associate at the law firm of Davis Polk & Wardwell LLP, counsel for defendants Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, Comcast of Houston, LLC, and Comcast Corporation in the above-captioned action. I submit this declaration in support of Defendants' Responsive Claim Construction Brief. I make this declaration of my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of the applicant's Response to Office Action dated February 22, 2012, from the prosecution history of U.S. Patent App. No. 13/245,001, which issued as U.S. Patent No. 8,356,251.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Examiner-Initiated Interview Summary dated August 16, 2012, from the prosecution history of U.S. Patent App. No. 13/245,001, which issued as U.S. Patent No. 8,356,251.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Notice of Allowability dated August 16, 2012, from the prosecution history of U.S. Patent App. No. 13/245,001, which issued as U.S. Patent No. 8,356,251.

5. Attached hereto as Exhibit 4 is a true and correct copy of the applicant's Response to Office Action dated May 9, 2019, from the prosecution history of U.S. Patent App. No. 15/687,249, which issued as U.S. Patent No. 11,048,751.


6. Attached hereto as Exhibit 5 is a true and correct copy of the applicant's Response to Office Action dated December 12, 2019, from the prosecution history of U.S. Patent App. No. 15/687,249, which issued as U.S. Patent No. 11,048,751.

7. Attached hereto as Exhibit 6 is a true and correct copy of the applicant's Response to Office Action dated October 28, 2020, from the prosecution history of U.S. Patent App. No. 16/917,095, which issued as U.S. Patent No. 11,086,934.

8. Attached hereto as Exhibit 7 is a true and correct copy of the applicant's Response to Office Action dated March 3, 2021, from the prosecution history of U.S. Patent App. No. 16/917,095, which issued as U.S. Patent No. 11,086,934.

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

Executed on: April 18, 2024
New York, New York


Alena Farber

CERTIFICATE OF SERVICE

Pursuant to Local Rule CV-5(c), the undersigned hereby certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via ECF on April 18, 2024.


Alena Farber