

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

FRACTUS, S.A.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., et  
al.;

Defendants.

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Civil Action No. 6:09-CV-203

**VERDICT FORM**

In answering these questions, you are to follow the instructions I have given you in the Charge of Court.

1. Did Fractus prove by a preponderance of the evidence that Samsung infringed, either literally or under the doctrine of equivalents, any of the following Claims?

**Answer “Yes” or “No” for each listed Claim:**

	Literal	Doctrine of Equivalents
'868 Claim 26	yes	yes
'868 Claim 35	yes	yes
'208 Claim 7	yes	yes
'208 Claim 12	yes	yes
'431 Claim 14	yes	yes
'431 Claim 30	yes	yes
'432 Claim 6	yes	yes

2. ANSWER THIS QUESTION ONLY FOR THOSE CLAIMS YOU ANSWERED “YES” FOR IN QUESTION 1 – OTHERWISE SKIP THIS QUESTION AND PROCEED TO QUESTION 3:

Did Fractus prove by clear and convincing evidence that Samsung’s infringement of any Claim was willful?

**Answer “Yes” or “No” for each listed Claim:**

‘868 Patent, Claim 26:	<u>yes</u>
‘868 Patent, Claim 35:	<u>yes</u>
‘208 Patent, Claim 7:	<u>yes</u>
‘208 Patent, Claim 12:	<u>yes</u>
‘431 Patent, Claim 14:	<u>yes</u>
‘431 Patent, Claim 30:	<u>yes</u>
‘432 Patent, Claim 6:	<u>yes</u>

3. Did Samsung prove by clear and convincing evidence that any of the following Claims are invalid for any of the following reasons?

**If you find the Claim invalid, answer “Yes,” otherwise, answer “No.”  
Answer for all Claims regardless of whether you have found those claims were infringed.**

	Anticipation	Obviousness	Written Description	Enablement
'868 Claim 26	NO	NO	NO	NO
'868 Claim 35	NO	NO	NO	NO
'208 Claim 7	NO	NO	NO	NO
'208 Claim 12	NO	NO	NO	NO
'431 Claim 14	NO	NO	NO	NO
'431 Claim 30	NO	NO	NO	NO
'432 Claim 6	NO	NO	NO	NO

ANSWER THIS QUESTION ONLY FOR THE CLAIMS YOU FOUND INFRINGED AND NOT INVALID:


4. What sum of money do you find from a preponderance of the evidence would fairly and reasonably compensate Fractus for Samsung's infringement of the patent claims that you have found were infringed by Samsung?

Damages Awarded: \$ 23,129,321

The foreperson must sign and date this verdict form:

5-23-11

DATE

  
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FOREPERSON