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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TV INTERACTIVE DATA CORPORATION,  
Plaintiff,  
v.  
SONY CORPORATION, et al.,  
Defendants.

Case No. [10-cv-00475-JCS](#)

**FINAL VERDICT FORM**

Dated: March 25, 2013

  
\_\_\_\_\_  
Joseph C. Spero  
United States Magistrate Judge

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We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this Court as our verdict in this case

**INFRINGEMENT**

**1. Has TVI proved by a preponderance of the evidence that Sony directly infringes any of the following claims of the TVI Patents?**

Please answer in each space with a “Y” for “Yes” (for TVI) or with an “N” for “No” (for Sony) as to each claim for each product.

	<u>Sony BDP-S550 Blu-ray Player (Representative of DVD/Blu-ray Players)</u>	<u>PlayStation 3</u>
'307 Claim 1	_____	_____
'307 Claim 2	_____	_____
'307 Claim 18	_____	_____
'156 Claim 1	_____	_____
'863 Claim 1	_____	_____
'863 Claim 9	_____	_____
'532 Claim 1	_____	_____
'532 Claim 9	_____	_____
'532 Claim 17	_____	_____

Please go on to Question No. 2.

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**2. Has TVI proved by a preponderance of the evidence that Sony induced infringement of any of the following claims of the TVI Patents?**

Please answer in each space with a “Y” for “Yes” (for TVI) or with an “N” for “No” (for Sony) as to each claim for each product.

	<u>Sony BDP-S550 Blu-ray Player (Representative of DVD/Blu-ray Players)</u>	<u>PlayStation 3</u>
'307 Claim 1	_____	_____
'307 Claim 2	_____	_____
'307 Claim 18	_____	_____
'532 Claim 1	_____	_____
'532 Claim 9	_____	_____
'532 Claim 17	_____	_____

Please go on to Question No. 3.

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**3. Has TVI proved by a preponderance of the evidence that Sony has contributed to the infringement of any of the following claims of the TVI Patents?**

Please answer in each space with a “Y” for “Yes” (for TVI) or with an “N” for “No” (for Sony) as to each claim for each product.

Sony BDP-S550  
Blu-ray Player  
(Representative of  
DVD/Blu-ray Players)

PlayStation 3

'307 Claim 1

\_\_\_\_\_

\_\_\_\_\_

'307 Claim 2

\_\_\_\_\_

\_\_\_\_\_

'307 Claim 18

\_\_\_\_\_

\_\_\_\_\_

'532 Claim 1

\_\_\_\_\_

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'532 Claim 9

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'532 Claim 17

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Please go on to Question No. 4.

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4. If you answered “Yes” to any of Questions 1 through 3, and thus found that Sony has infringed any of the claims of the TVI Patents, has TVI proved by clear and convincing evidence that Sony’s infringement was willful?

Please put an “X” in the appropriate space indicating either “Yes” (for TVI) or “No” (for Sony).

Sony BDP-S550  
Blu-ray Player  
(Representative of  
DVD/Blu-ray Players)

PlayStation 3

Yes \_\_\_\_\_ No \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

Please go on to Question No. 5.

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**VALIDITY**

**5. Anticipation: Has Sony proved by clear and convincing evidence that any of the following claims of the TVI Patents are invalid as anticipated by any of the references identified by Sony? You must consider each reference separately as to each claim.**

Please put an "X" in the appropriate space indicating either "Yes" (for Sony) or "No" (for TVI). Please mark only one space for each of the listed claims of the TVI Patents.

'307 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'307 Claim 2 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'307 Claim 18 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'156 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'863 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'863 Claim 9 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'532 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'532 Claim 9 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'532 Claim 17 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

Please go on to Question No. 6.

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**6. Obviousness: Has Sony proved by clear and convincing evidence that any of the following claims of the TVI Patents are invalid because they would have been obvious to a person of ordinary skill in the art in light of the combinations of references identified by Sony?**

Please put an "X" in the appropriate space indicating either "Yes" (for Sony) or "No" (for TVI). Please mark only one space for each of the listed claims of the TVI Patents.

'307 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'307 Claim 2 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'307 Claim 18 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'156 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'863 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'863 Claim 9 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'532 Claim 1 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'532 Claim 9 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

'532 Claim 17 Yes \_\_\_\_\_ (for Sony) No \_\_\_\_\_ (for TVI)

Please go on to Question No. 7.

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**7. Inventorship: Has Sony proved by clear and convincing evidence that the inventorship of any of the TVI Patents is incorrect?**

Please put an "X" in the appropriate space indicating either "Yes" (for Sony) or "No" (for TVI). Please mark only one space for each of the listed claims of the TVI Patents.

- |             |                      |                    |
|-------------|----------------------|--------------------|
| '307 Patent | Yes _____ (for Sony) | No _____ (for TVI) |
| '156 Patent | Yes _____ (for Sony) | No _____ (for TVI) |
| '863 Patent | Yes _____ (for Sony) | No _____ (for TVI) |
| '532 Patent | Yes _____ (for Sony) | No _____ (for TVI) |

Please go on to Question No. 8.

**DAMAGES**

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3 **8. If you found any claim infringed under Questions 1, 2 or 3, and valid under Questions**  
4 **5 and 6, what per unit running royalty rate do you find is adequate to compensate TVI**  
5 **for the conduct you found to infringe? (Then multiply the number of infringing units**  
6 **by the per-unit royalty to arrive at the total damages for each product.) If you did not**  
7 **find any claim to be both infringed under Questions 1, 2 or 3, and valid under**  
8 **Questions 5 and 6, do not answer this question.**

9  
10  
11                              [Placeholder]<sup>1</sup>                number of DVD player units sold  
12 x      \$ \_\_\_\_\_      per-unit royalty  
13 =      \$ \_\_\_\_\_      TOTAL

14  
15                              [Placeholder]                number of Blu-ray player units sold  
16 x      \$ \_\_\_\_\_      per-unit royalty  
17 =      \$ \_\_\_\_\_      TOTAL

18  
19                              [Placeholder]                number of Playstation3 player units sold  
20 x      \$ \_\_\_\_\_      per-unit royalty  
21 =      \$ \_\_\_\_\_      TOTAL

22  
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25 **Total Damages (DVD, Blu-ray, and Playstation3 totals combined):**

26 \$ \_\_\_\_\_

27  
28 DATE \_\_\_\_\_

INITIALS OF FOREPERSON \_\_\_\_\_

<sup>1</sup> The parties have stipulated to unit sales, which the parties agree will be included in the final verdict form. Sony requested that TVI omit the actual numbers in this filing because it currently intends to request the Court seal this information.