

## JURY VERDICT FORM

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

We, the jury, unanimously agree to the answers to the following questions.

### APPLE'S '381 PATENT

1. Do you find that Apple has proved by a preponderance of the evidence that Samsung Telecommunications America, LLC ("STA") literally infringes Claim 19 of the '381 patent by selling any of the following Samsung products having the Gallery, Contacts, Web Browser or ThinkFree Office applications?

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

If you answer "Yes," which products:

Captivate :	_____ Yes _____ No
Continuum :	_____ Yes _____ No
Droid Charge :	_____ Yes _____ No
Epic 4G :	_____ Yes _____ No
Exhibit 4G:	_____ Yes _____ No
Fascinate:	_____ Yes _____ No
Galaxy Ace:	_____ Yes _____ No
Galaxy Prevail :	_____ Yes _____ No
Galaxy S (i9000):	_____ Yes _____ No
Galaxy S II (pre-August 26, 2011 versions):	_____ Yes _____ No
Galaxy S 4G :	_____ Yes _____ No
Galaxy S Showcase (i500):	_____ Yes _____ No
Gravity :	_____ Yes _____ No
Indulge :	_____ Yes _____ No
Infuse 4G :	_____ Yes _____ No
Intercept :	_____ Yes _____ No
Mesmerize:	_____ Yes _____ No
Nexus S:	_____ Yes _____ No
Nexus S 4G:	_____ Yes _____ No
Replenish:	_____ Yes _____ No
Sidekick:	_____ Yes _____ No
Vibrant:	_____ Yes _____ No
 Galaxy Tab:	 _____ Yes _____ No
Galaxy Tab 10.1:	_____ Yes _____ No

2. If you find that none of STA's devices has infringed Claim 19 of the '381 patent, skip this question. Otherwise, with respect to Claim 19 of the '381 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by a preponderance of the evidence that Samsung Electronics Co., Ltd. ("SEA") literally infringes Claim 19 of the '381 patent by selling any of the following Samsung products having the Gallery, Web Browser or ThinkFree Office applications?

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

If you answer "Yes," which products:

Galaxy Tab:

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

Galaxy Tab 10.1:

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

4. If you find that none of SEA 's devices has infringed Claim 19 of the '381 patent, skip this question. Otherwise, with respect to Claim 19 of the '381 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that Samsung Electronics Co., Ltd. ("SEC"), knowing of the '381 patent, took action that it knew or should have known would induce STA or SEA to infringe Claim 19 of the '381 patent by selling any of the following Samsung products having the Gallery, Contacts, Web Browser or ThinkFree Office applications?

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

If you answer "Yes," which products:

Captivate :

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

Continuum :

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

Droid Charge :

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

Epic 4G :

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

Exhibit 4G:

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

Fascinate:

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

Galaxy Ace:

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

Galaxy Prevail :

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

Galaxy S (i9000):

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

Galaxy S II (pre-August 26, 2011 versions):

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

Galaxy S 4G :	_____ Yes _____ No
Galaxy S Showcase (i500):	_____ Yes _____ No
Gravity :	_____ Yes _____ No
Indulge :	_____ Yes _____ No
Infuse 4G :	_____ Yes _____ No
Intercept :	_____ Yes _____ No
Mesmerize:	_____ Yes _____ No
Nexus S:	_____ Yes _____ No
Nexus S 4G:	_____ Yes _____ No
Replenish:	_____ Yes _____ No
Sidekick:	_____ Yes _____ No
Vibrant:	_____ Yes _____ No
Galaxy Tab:	_____ Yes _____ No
Galaxy Tab 10.1:	_____ Yes _____ No

6. If you find that none of SEC's actions constitute infringement of Claim 19 of the '381 patent, skip this question. Otherwise, with respect to Claim 19 of the '381 patent, has Apple proved by clear and convincing evidence that SEC actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

7. Do you find that Samsung has proved by clear and convincing evidence that the '381 patent is invalid?

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

If you answer "Yes," do you find that:

Claim 19 of '381 is anticipated by prior art:	_____ Yes _____ No
Claim 19 of '381 is obvious in view of the prior art:	_____ Yes _____ No

8. If you answered question 1, 3 or 5 "Yes" and question 7 "No" as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's infringement of Claim 19 of the '381 patent?

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

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

For any infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

9. On what date did Apple provide actual notice of its claim for infringement of the '381 patent with respect to the Samsung product you found infringed to:

SEC	_____
SEA	_____
STA	_____

**APPLE'S '915 PATENT**

1. Do you find that Apple has proved by a preponderance of the evidence that STA literally infringes Claim 8 of the '915 patent by selling any of the following Samsung products having the Web Browser application?

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

If you answer "Yes," which products:

Acclaim :	_____ Yes _____ No
Captivate:	_____ Yes _____ No
Continuum:	_____ Yes _____ No
Droid Charge:	_____ Yes _____ No
Epic 4G:	_____ Yes _____ No
Exhibit 4G:	_____ Yes _____ No
Fascinate:	_____ Yes _____ No
Galaxy Ace:	_____ Yes _____ No
Galaxy Prevail:	_____ Yes _____ No
Galaxy S (i9000):	_____ Yes _____ No
Galaxy S II (pre-August 26, 2011 versions):	_____ Yes _____ No
Galaxy S 4G:	_____ Yes _____ No
Galaxy S Showcase (i500):	_____ Yes _____ No
Gem:	_____ Yes _____ No
Gravity:	_____ Yes _____ No
Indulge:	_____ Yes _____ No
Infuse 4G:	_____ Yes _____ No
Intercept:	_____ Yes _____ No
Mesmerize:	_____ Yes _____ No
Nexus S:	_____ Yes _____ No
Nexus S 4G:	_____ Yes _____ No
Replenish:	_____ Yes _____ No

Sidekick: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Transform: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Vibrant: \_\_\_\_\_ Yes \_\_\_\_\_ No

Galaxy Tab: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Galaxy Tab 10.1: \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If you find that none of STA's devices has infringed Claim 8 of the '915 patent, skip this question. Otherwise, with respect to Claim 8 of the '915 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by a preponderance of the evidence that SEA literally infringes Claim 8 of the '915 patent by selling any of the following Samsung products having the Web Browser application?

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

If you answer "Yes," which products:

Galaxy Tab: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Galaxy Tab 10.1: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. If you find that none of SEA 's devices has infringed Claim 8 of the '915 patent, skip this question. Otherwise, with respect to Claim 8 of the '915 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the '915 patent, took action that it knew or should have known would induce STA or SEA to infringe Claim 8 of the '915 patent by selling any of the following Samsung products having the Web Browser application?

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

If you answer "Yes," which products:

Acclaim : \_\_\_\_\_ Yes \_\_\_\_\_ No  
Captivate: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Continuum: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Droid Charge: \_\_\_\_\_ Yes \_\_\_\_\_ No

Epic 4G:	_____	Yes	_____	No
Exhibit 4G:	_____	Yes	_____	No
Fascinate:	_____	Yes	_____	No
Galaxy Ace:	_____	Yes	_____	No
Galaxy Prevail:	_____	Yes	_____	No
Galaxy S (i9000):	_____	Yes	_____	No
Galaxy S II (pre-August 26, 2011 versions):	_____	Yes	_____	No
Galaxy S 4G:	_____	Yes	_____	No
Galaxy S Showcase (i500):	_____	Yes	_____	No
Gem:	_____	Yes	_____	No
Gravity:	_____	Yes	_____	No
Indulge:	_____	Yes	_____	No
Infuse 4G:	_____	Yes	_____	No
Intercept:	_____	Yes	_____	No
Mesmerize:	_____	Yes	_____	No
Nexus S:	_____	Yes	_____	No
Nexus S 4G:	_____	Yes	_____	No
Replenish:	_____	Yes	_____	No
Sidekick:	_____	Yes	_____	No
Transform:	_____	Yes	_____	No
Vibrant:	_____	Yes	_____	No
Galaxy Tab:	_____	Yes	_____	No
Galaxy Tab 10.1:	_____	Yes	_____	No

6. If you find that none of SEC's actions constitute infringement of Claim 8 of the '915 patent, skip this question. Otherwise, with respect to Claim 8 of the '915 patent, has Apple proved by clear and convincing evidence that SEC actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

7. Do you find that Samsung has proved by clear and convincing evidence that the '915 patent is invalid?

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

If you answer "Yes," do you find that:

Claim 8 of '915 patent is anticipated by prior art: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 8 of '915 patent is obvious in view of the prior art: \_\_\_\_\_ Yes \_\_\_\_\_ No

8. If you answered question 1, 3 or 5 "Yes" and question 7 "No" as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have

made with reasonable probability but for any Samsung entity's infringement of Claim 8 of the '915 patent?

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

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

For any infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

9. On what date did Apple provide actual notice of its claim for infringement of the '915 patent with respect to the Samsung product you found infringed to:

SEC	_____
SEA	_____
STA	_____

**APPLE'S '163 PATENT**

1. Do you find that Apple has proved by a preponderance of the evidence that STA literally infringes Claim 50 of the '163 patent by selling any of the following Samsung products having the Web Browser application?

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

If you answer "Yes," which products:

Acclaim:	_____ Yes _____ No
Captivate:	_____ Yes _____ No
Continuum:	_____ Yes _____ No
Droid Charge:	_____ Yes _____ No
Epic 4G:	_____ Yes _____ No
Exhibit 4G:	_____ Yes _____ No
Fascinate:	_____ Yes _____ No
Galaxy Ace:	_____ Yes _____ No
Galaxy Prevail:	_____ Yes _____ No
Galaxy S (i9000):	_____ Yes _____ No
Galaxy S II (pre-August 26, 2011 versions):	_____ Yes _____ No

Galaxy S 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Galaxy S Showcase (i500): \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Gem: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Gravity: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Indulge: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Infuse 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Intercept: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Mesmerize: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Nexus S: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Nexus S 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Replenish: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Sidekick: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Transform: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Vibrant: \_\_\_\_\_ Yes \_\_\_\_\_ No

Galaxy Tab: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Galaxy Tab 10.1: \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If you find that none of STA's devices has infringed Claim 50 of the '163 patent, skip this question. Otherwise, with respect to Claim 50 of the '163 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by a preponderance of the evidence that SEA literally infringes Claim 50 of the '163 patent by selling any of the following Samsung products having the Web Browser application?

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

If you answer "Yes," which products:

Galaxy Tab: \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Galaxy Tab 10.1: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. If you find that none of SEA 's devices has infringed Claim 50 of the '163 patent, skip this question. Otherwise, with respect to Claim 50 of the '163 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the '163 patent, took action that it knew or should have known would induce STA or SEA to



infringe Claim 50 of the '163 patent by selling any of the following Samsung products having the Web Browser application?

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

If you answer "Yes," which products:

- Acclaim: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Captivate: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Continuum: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Droid Charge: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Epic 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Exhibit 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Fascinate: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy Ace: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy Prevail: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy S (i9000): \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy S II (pre-August 26, 2011 versions): \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy S 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy S Showcase (i500): \_\_\_\_\_ Yes \_\_\_\_\_ No
- Gem: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Gravity: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Indulge: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Infuse 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Intercept: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Mesmerize: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Nexus S: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Nexus S 4G: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Replenish: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Sidekick: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Transform: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Vibrant: \_\_\_\_\_ Yes \_\_\_\_\_ No
  
- Galaxy Tab: \_\_\_\_\_ Yes \_\_\_\_\_ No
- Galaxy Tab 10.1: \_\_\_\_\_ Yes \_\_\_\_\_ No

6. If you find that none of SEC's actions constitute infringement of Claim 50 of the '163 patent, skip this question. Otherwise, with respect to Claim 50 of the '163 patent, has Apple proved by clear and convincing evidence that SEC actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

7. Do you find that Samsung has proved by clear and convincing evidence that the '163 patent is invalid?

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

If you answer "Yes," do you find that:

Claim 50 of '163 patent is anticipated by prior art: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 50 of '163 patent is obvious in view of the prior art: \_\_\_\_\_ Yes \_\_\_\_\_ No

8. If you answered question 1, 3 or 5 "Yes" and question 7 "No" as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's infringement of Claim 50 of the '163 patent?

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

If yes, what lost profits did Apple show against:

SEC \$ \_\_\_\_\_

SEA \$ \_\_\_\_\_

STA \$ \_\_\_\_\_

For any infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC \$ \_\_\_\_\_

SEA \$ \_\_\_\_\_

STA \$ \_\_\_\_\_

9. On what date did Apple provide actual notice of its claim for infringement of the '163 patent with respect to the Samsung product you found infringed to:

SEC \_\_\_\_\_

SEA \_\_\_\_\_

STA \_\_\_\_\_

**APPLE'S D'677 PATENT**

1. Do you find that Apple has proved by a preponderance of the evidence that STA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'677 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'677 patent?

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

If you answer "Yes," which products?

Fascinate	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy Ace	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S i9000	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Infuse 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Mesmerize	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S Showcase (i500)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vibrant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

2. If you find that none of STA's devices has infringed the D'677 patent, skip this question. Otherwise, with respect to the D'677 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

Yes  No

3. Do you find that Apple has proved by a preponderance of the evidence that SEA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'677 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'677 patent?

Yes  No

If you answer "Yes," which products?

Fascinate	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy Ace	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S i9000	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Infuse 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Mesmerize	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S Showcase (i500)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vibrant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

4. If you find that none of SEA's devices has infringed the D'677 patent, skip this question. Otherwise, with respect to the D'677 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

Yes  No

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the D'677 patent, took action that it knew or should have known would induce STA or SEA to infringe the D'677 by selling any of the following Samsung products?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

6. Do you find that Samsung has proved by clear and convincing evidence that the D'677 Patent is invalid? \_\_\_\_\_ Yes \_\_\_\_\_ No

7. If you answered questions 1-5 "No," or question 6 "Yes," then move on to the next section. If you answered any of questions 1-5 "Yes" and question 6 "No," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's infringement of the D'677 patent? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

For those infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

8. On what date did Apple provide actual notice of its claim for infringement of the D'677 patent with respect to the Samsung product you found to infringe to:

SEC	_____
SEA	_____
STA	_____

*What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that infringe the D'677 patent and on which you did not award Apple either lost profits or a reasonable royalty and are attributable to infringement by:*

SEC  
SEA  
STA

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

*[Samsung objects to Apple's attempt to obtain both lost profits and infringer's profits as unsupported by any legal authority. Samsung offers this question solely in the event that the Court disagrees].*

**APPLE'S D'087 PATENT**

1. Do you find that Apple has proved by a preponderance of the evidence that STA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'087 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'087 patent?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

2. If you find that none of STA's devices has infringed the D'087 patent, skip this question. Otherwise, with respect to the D'087 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by a preponderance of the evidence that SEA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'087 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'087 patent?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No

Infuse 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Mesmerize	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S Showcase (i500)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vibrant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

4. If you find that none of SEA's devices has infringed the D'087 patent, skip this question. Otherwise, with respect to the D'087 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

Yes  No

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the D'087 patent, took action that it knew or should have known would induce STA or SEA to infringe the D'087 by selling any of the following Samsung products?

Yes  No

If you answer "Yes," which products?

Fascinate	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy Ace	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S i9000	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Infuse 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Mesmerize	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S Showcase (i500)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vibrant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

6. Invalidity. Do you find that Samsung has proved by clear and convincing evidence that the D'087 Patent is invalid?

Yes  No

7. If you answered questions 1-5 "No," or question 6 "Yes," then move on to the next section. If you answered any of questions 1-5 "Yes" and question 6 "No," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's infringement of the D'087 patent?

Yes  No

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

For those infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

8. On what date did Apple provide actual notice of its claim for infringement of the D'087 patent with respect to the Samsung product you found to infringe to:

SEC	_____
SEA	_____
STA	_____

*What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that infringe the D'087 patent and on which you did not award Apple either lost profits or a reasonable royalty and are attributable to infringement by:*

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

*[Samsung objects to Apple's attempt to obtain both lost profits and infringer's profits as unsupported by any legal authority. Samsung offers this question solely in the event that the Court disagrees].*

**APPLE'S D'305 PATENT**

1. Do you find that Apple has proved by a preponderance of the evidence that STA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'305 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'305 patent?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No

Vibrant  Yes  No

2. If you find that none of STA's devices has infringed the D'305 patent, skip this question. Otherwise, with respect to the D'305 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

Yes  No

3. Do you find that Apple has proved by a preponderance of the evidence that SEA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'305 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'305 patent?

Yes  No

If you answer "Yes," which products?

Fascinate	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy Ace	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy S i9000	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy S 4G	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Infuse 4G	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Mesmerize	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy S Showcase (i500)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Vibrant	<input type="checkbox"/> Yes	<input type="checkbox"/> No

4. If you find that none of SEA's devices has infringed the D'305 patent, skip this question. Otherwise, with respect to the D'305 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

Yes  No

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the D'305 patent, took action that it knew or should have known would induce STA or SEA to infringe the D'305 by selling any of the following Samsung products?

Yes  No

If you answer "Yes," which products?

Fascinate	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy Ace	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy S i9000	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Galaxy S 4G	<input type="checkbox"/> Yes	<input type="checkbox"/> No



Infuse 4G	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Mesmerize	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Galaxy S Showcase (i500)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vibrant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

6. Invalidity. Do you find that Samsung has proved by clear and convincing evidence that the D'305 Patent is invalid?  Yes  No

7. If you answered questions 1-5 "No," or question 6 "Yes," then move on to the next section. If you answered any of questions 1-5 "Yes" and question 6 "No," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's infringement of the D'305 patent?  Yes  No

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

For those infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

8. On what date did Apple provide actual notice of its claim for infringement of the D'305 patent with respect to the Samsung product you found to infringe to:

SEC	_____
SEA	_____
STA	_____

*What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that infringe the D'305 patent and on which you did not award Apple either lost profits or a reasonable royalty and are attributable to infringement by:*

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

*[Samsung objects to Apple's attempt to obtain both lost profits and infringer's profits as unsupported by any legal authority. Samsung offers this question solely in the event that the Court disagrees].*

**APPLE'S D'889 PATENT**

1. Do you find that Apple has proved by a preponderance of the evidence that STA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'889 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'889 patent?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

2. If you find that none of STA's devices has infringed the D'889 patent, skip this question. Otherwise, with respect to the D'889 patent, has Apple proved by clear and convincing evidence that STA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by a preponderance of the evidence that SEA sold or offered for sale in the United States any device that in the eye of the ordinary observer is substantially the same as the D'889 design such that the resemblance would deceive such an observer, inducing him to purchase the Samsung phone supposing it to be the design of the D'889 patent?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

4. If you find that none of SEA's devices has infringed the D'889 patent, skip this question. Otherwise, with respect to the D'889 patent, has Apple proved by clear and convincing evidence that SEA actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

5. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the D'889 patent, took action that it knew or should have known would induce STA or SEA to infringe the D'889 by selling any of the following Samsung products?

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

If you answer "Yes," which products?

Fascinate	_____ Yes	_____ No
Galaxy Ace	_____ Yes	_____ No
Galaxy S i9000	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

6. Invalidity. Do you find that Samsung has proved by clear and convincing evidence that the D'889 Patent is invalid?

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

7. If you answered questions 1-5 "No," or question 6 "Yes," skip this question. If you answered any of questions 1-5 "Yes" and question 6 "No," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's infringement of the D'889 patent?

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

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

For those infringing sales for which Apple has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty against:

SEC	\$ _____
SEA	\$ _____

STA \$ \_\_\_\_\_

8. On what date did Apple provide actual notice of its claim for infringement of the D'889 patent with respect to the Samsung product you found to infringe to:

SEC \_\_\_\_\_  
SEA \_\_\_\_\_  
STA \_\_\_\_\_

*What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that infringe the D'889 patent and on which you did not award Apple either lost profits or a reasonable royalty and are attributable to infringement by:*

SEC \$ \_\_\_\_\_  
SEA \$ \_\_\_\_\_  
STA \$ \_\_\_\_\_

*[Samsung objects to Apple's attempt to obtain both lost profits and infringer's profits as unsupported by any legal authority. Samsung offers this question solely in the event that the Court disagrees].*

**APPLE'S UNREGISTERED IPAD TRADE DRESS CLAIM**

1. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPad trade dress was famous before the Galaxy Tab 10.1 or Galaxy Tab 10.1 LTE products were sold to the public? \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered question 1 "No," do not answer questions 4-9.

2. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPad trade dress claimed by Apple is distinctive by having acquired secondary meaning? \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered question 2 "No," do not answer questions 4-9.

3. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPad trade dress is not functional? \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered question 3 "No," do not answer questions 4-9.

4. Do you find that Apple has proven by a preponderance of the evidence that STA's alleged use of the unregistered iPad trade dress caused a likelihood of dilution? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, which products?

The Galaxy Tab 10.1       Yes     No  
The Galaxy Tab 10.1       Yes     No

5. If you answered "Yes" to Question 4, do you find by clear and convincing evidence that STA diluted and willfully intended to cause dilution of the iPad trade dress?  
 Yes     No

If yes, which products?

The Galaxy Tab 10.1       Yes     No  
The Galaxy Tab 10.1       Yes     No

6. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the unregistered iPad trade dress caused a likelihood of dilution?  
 Yes     No

If yes, which products?

The Galaxy Tab 10.1       Yes     No  
The Galaxy Tab 10.1       Yes     No

7. If you answered "Yes" to Question 6, do you find by clear and convincing evidence that SEA diluted and willfully intended to cause dilution of the iPad trade dress?  
 Yes     No

If yes, which products?

The Galaxy Tab 10.1       Yes     No  
The Galaxy Tab 10.1       Yes     No

8. If you answered question 5 or 7 "Yes," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's dilution of the iPad trade dress?  
 Yes     No

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

9. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute the iPad trade dress and on which you did not award Apple lost profits and are attributable to dilution by:

SEC  
SEA  
STA

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

10. Do you find that Apple has proven by a preponderance of the evidence that STA's alleged use of the unregistered iPad trade dress is likely to cause confusion among prospective purchasers of tablet computers as to the source, sponsorship, affiliation, or approval of Galaxy Tab 10.1 and/or Galaxy Tab 10.1 LTE? \_\_\_\_\_

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

If yes, which products?

The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No  
The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No

11. If you answered "Yes" to Question 10, do you find that Apple has proved by clear and convincing evidence that STA willfully intended to infringe the unregistered iPad trade dress?

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

If yes, which products?

The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No  
The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No

12. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the unregistered iPad trade dress is likely to cause confusion among prospective purchasers of tablet computers as to the source, sponsorship, affiliation, or approval of Galaxy Tab 10.1 and/or Galaxy Tab 10.1 LTE? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, which products?

The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No  
The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No

13. If you answered "Yes" to Question 10, do you find that Apple has proved by clear and convincing evidence that SEA willfully intended to infringe the unregistered iPad trade dress?

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

If yes, which products?

The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No  
The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

14. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the unregistered iPad trade dress, took action that it knew or should have known would induce STA or SEA to infringe the unregistered iPad trade dress?

Yes  No

If yes, which products?

The Galaxy Tab 10.1  Yes  No

The Galaxy Tab 10.1  Yes  No

15. If you answered question 10, 11, 12, 13, or 14 "Yes," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's dilution of the iPad trade dress?

Yes  No

If yes, what lost profits did Apple show against:

SEC \$ \_\_\_\_\_  
SEA \$ \_\_\_\_\_  
STA \$ \_\_\_\_\_

16. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute the iPad trade dress and on which you did not award Apple lost profits and are attributable to dilution by:

SEC \$ \_\_\_\_\_  
SEA \$ \_\_\_\_\_  
STA \$ \_\_\_\_\_

**APPLE'S UNREGISTERED IPAD 2 TRADE DRESS CLAIM**

1. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPad 2 trade dress was famous before the Galaxy Tab 10.1 or Galaxy Tab 10.1 LTE products were sold to the public?  Yes  No

If you answered question 1 "No," skip questions 4-6.

2. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPad 2 trade dress claimed by Apple is distinctive by having acquired secondary meaning?  Yes  No

If you answered question 2 "No," skip questions 3-9.

3. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPad 2 trade dress is not functional?  Yes  No

If you answered question 3 "No," skip questions 3-9.

4. Do you find that Apple has proven by a preponderance of the evidence that STA's alleged use of the unregistered iPad 2 trade dress caused a likelihood of dilution?

Yes  No

If yes, which products?

The Galaxy Tab 10.1  Yes  No

The Galaxy Tab 10.1  Yes  No

5. If you answered "Yes" to Question 4, do you find by clear and convincing evidence that STA diluted and willfully intended to cause dilution of the iPad 2 trade dress?

Yes  No

If yes, which products?

The Galaxy Tab 10.1  Yes  No

The Galaxy Tab 10.1  Yes  No

6. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the unregistered iPad 2 trade dress caused a likelihood of dilution?

Yes  No

If yes, which products?

The Galaxy Tab 10.1  Yes  No

The Galaxy Tab 10.1  Yes  No

7. If you answered "Yes" to Question 6, do you find by clear and convincing evidence that SEA diluted and willfully intended to cause dilution of the iPad 2 trade dress?

Yes  No

If yes, which products?

The Galaxy Tab 10.1  Yes  No

The Galaxy Tab 10.1  Yes  No

8. If you answered question 5 or 7 "Yes," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's dilution of the iPad 2 trade dress?

Yes  No

If yes, what lost profits did Apple show against:



SEC	\$ _____
SEA	\$ _____
STA	\$ _____

9. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute the iPad trade dress and on which you did not award Apple lost profits and are attributable to dilution by:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

10. Do you find that Apple has proven by a preponderance of the evidence that STA's alleged use of the unregistered iPad 2 trade dress is likely to cause confusion among prospective purchasers of tablet computers as to the source, sponsorship, affiliation, or approval of Galaxy Tab 10.1 and/or Galaxy Tab 10.1 LTE?

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

If yes, which products?

The Galaxy Tab 10.1	_____ Yes	_____ No
The Galaxy Tab 10.1	_____ Yes	_____ No

11. If you answered "Yes" to Question 10, do you find that Apple has proved by clear and convincing evidence that STA willfully intended to infringe the unregistered iPad 2 trade dress?

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

If yes, which products?

The Galaxy Tab 10.1	_____ Yes	_____ No
The Galaxy Tab 10.1	_____ Yes	_____ No

12. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the unregistered iPad 2 trade dress is likely to cause confusion among prospective purchasers of tablet computers as to the source, sponsorship, affiliation, or approval of Galaxy Tab 10.1 and/or Galaxy Tab 10.1 LTE?

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

If yes, which products?

The Galaxy Tab 10.1	_____ Yes	_____ No
The Galaxy Tab 10.1	_____ Yes	_____ No

13. If you answered “Yes” to Question 10, do you find that Apple has proved by clear and convincing evidence that SEA willfully intended to infringe the unregistered iPad 2 trade dress?

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

If yes, which products?

The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No

The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No

*[Samsung does not believe that induced infringement is appropriate for this patent, but has listed a proposed verdict form question below in the event the Court disagrees].*

14. Do you find that Apple has proved by a preponderance of the evidence that SEC, knowing of the unregistered iPad 2 trade dress, took action that it knew or should have known would induce STA or SEA to infringe the unregistered iPad 2 trade dress?

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

If yes, which products?

*The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No*

*The Galaxy Tab 10.1 \_\_\_\_\_ Yes \_\_\_\_\_ No*

15. If you answered question 10, 11, 12, 13, or 14 “Yes,” as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's dilution of the iPad 2 trade dress?

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

If yes, what lost profits did Apple show against:

SEC \$ \_\_\_\_\_

SEA \$ \_\_\_\_\_

STA \$ \_\_\_\_\_

16. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute the iPad 2 trade dress and on which you did not award Apple lost profits and are attributable to dilution by:

*SEC* \$ \_\_\_\_\_

*SEA* \$ \_\_\_\_\_

*STA* \$ \_\_\_\_\_

### **APPLE’S UNREGISTERED IPHONE TRADE DRESS CLAIM**

1. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPhone trade dress was famous before the first Samsung product that Apple alleges used its claimed trade dress was sold to the public?

Yes  No

If you answered question 1 “No,” do not answer questions 2-9.

2. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPhone trade dress is distinctive by having acquired secondary meaning?

Yes  No

If you answered question 2 “No,” do not answer questions 3-6.

3. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPhone trade dress is non-functional?

Yes  No

If you answered question 3 “No,” do not answer questions 4-6.

4. Do you find that Apple has proven by a preponderance of the evidence that STA’s alleged use of the unregistered iPhone trade dress caused a likelihood of dilution?

Yes  No

If yes, which products?

- |                          |                              |                             |
|--------------------------|------------------------------|-----------------------------|
| Fascinate                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Galaxy Prevail           | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Galaxy S 4G              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Galaxy S Showcase (i500) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Infuse 4G                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Mesmerize                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Vibrant                  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

5. If you answered “Yes” to Question 4, do you find by clear and convincing evidence that STA diluted and willfully intended to cause dilution of the iPhone trade dress?

Yes  No

If yes, which products?

- |                          |                              |                             |
|--------------------------|------------------------------|-----------------------------|
| Fascinate                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Galaxy Prevail           | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Galaxy S 4G              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Galaxy S Showcase (i500) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Infuse 4G                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Mesmerize                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Vibrant                  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

6. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the unregistered iPhone trade dress caused a likelihood of dilution?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

7. If you answered "Yes" to Question 6, do you find by clear and convincing evidence that SEA diluted and willfully intended to cause dilution of the iPhone trade dress?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

8. If you answered question 5 or 7 "Yes," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's dilution of the iPhone trade dress?

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

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

9. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute the iPhone trade dress and on which you did not award Apple lost profits and are attributable to dilution by:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

**APPLE’S UNREGISTERED IPHONE 3G TRADE DRESS CLAIM**

1. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPhone 3G trade dress was famous before the first Samsung product that Apple alleges used its claimed trade dress was sold to the public?

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

If you answered question 1 “No,” do not answer questions 2-9.

2. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPhone 3G trade dress is distinctive by having acquired secondary meaning?

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

If you answered question 2 “No,” do not answer questions 3-6.

3. Do you find that Apple has proven by a preponderance of the evidence that the unregistered iPhone 3G trade dress is non-functional?

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

If you answered question 3 “No,” do not answer questions 4-6.

4. Do you find that Apple has proven by a preponderance of the evidence that STA’s alleged use of the unregistered iPhone 3G trade dress caused a likelihood of dilution?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

5. If you answered “Yes” to Question 4, do you find by clear and convincing evidence that STA diluted and willfully intended to cause dilution of the iPhone 3G trade dress?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No

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

6. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the unregistered iPhone 3G trade dress caused a likelihood of dilution?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

7. If you answered "Yes" to Question 6, do you find by clear and convincing evidence that SEA diluted and willfully intended to cause dilution of the iPhone 3G trade dress?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

8. If you answered question 5 or 7 "Yes," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with reasonable probability but for any Samsung entity's dilution of the iPhone 3G trade dress?

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

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

9. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute the iPhone 3G trade dress and on which you did not award Apple lost profits and are attributable to dilution by:

SEC \$ \_\_\_\_\_

SEA  
STA

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**APPLE’S REGISTRATION NO. 3,470,983 TRADE DRESS CLAIM**

1. Do you find that Apple has proven by a preponderance of the evidence that the trade dress claimed by Registration No. 3,470,983 was famous before the first Samsung product that Apple alleges used its claimed trade dress was sold to the public?

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

If you answered question 1 “No,” do not answer questions 2-12.

2. Do you find that Samsung has rebutted the presumption that the trade dress claimed by Registration No. 3,470,983 is distinctive by having acquired secondary meaning?

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

If you answered question 2 ”No,” do not answer 3 and go to question 4.

3. Do you find that Apple has proven by a preponderance of the evidence that the trade dress claimed by Registration No. 3,470,983 is distinctive by having acquired secondary meaning?

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

If you answered question 3 “No,” do not answer questions 3-12.

4. Do you find that Samsung has rebutted the presumption that the trade dress claimed by Registration No. 3,470,983 is not functional?

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

If you answered question 4 “No,” skip question 5 and go to question 6.

5. Do you find that Apple has proven by a preponderance of the evidence that the trade dress claimed by Registration No. 3,470,983 is not functional?

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

If you answered question 5 “No,” skip questions 6-9.

6. Do you find that Apple has proven by a preponderance of the evidence that STA’s alleged use of the trade dress claimed by Registration No. 3,470,983 caused a likelihood of dilution?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

7. If you answered "Yes" to Question 4, do you find by clear and convincing evidence that STA diluted and willfully intended to cause dilution of the trade dress claimed by Registration No. 3,470,983? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

8. Do you find that Apple has proven by a preponderance of the evidence that SEA's alleged use of the trade dress claimed by Registration No. 3,470,983 caused a likelihood of dilution?

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

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

9. If you answered "Yes" to Question 6, do you find by clear and convincing evidence that SEA diluted and willfully intended to cause dilution of the trade dress claimed by Registration No. 3,470,983? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, which products?

Fascinate	_____ Yes	_____ No
Galaxy Prevail	_____ Yes	_____ No
Galaxy S 4G	_____ Yes	_____ No
Galaxy S Showcase (i500)	_____ Yes	_____ No
Infuse 4G	_____ Yes	_____ No
Mesmerize	_____ Yes	_____ No
Vibrant	_____ Yes	_____ No

10. If you answered question 7 or 9 "Yes," as to any product, did Apple show by a preponderance of the evidence that it lost profits as a result of sales that it would have made with



reasonable probability but for any Samsung entity's dilution of the trade dress claimed by the Registration No. 3,470,983?

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

If yes, what lost profits did Apple show against:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

11. What Samsung profits, if any, did Apple show by a preponderance of the evidence it should be awarded from sales of products that dilute trade dress claimed by the Registration No. 3,470,983 and on which you did not award Apple lost profits and are attributable to dilution by:

SEC	\$ _____
SEA	\$ _____
STA	\$ _____

12. On what date did Samsung have actual notice of Apple's claim for dilution?

\_\_\_\_\_

**SAMSUNG'S '941 PATENT**

1. Do you find that Samsung has proved by a preponderance of the evidence that any of Apple's devices literally infringe Claims 10 or 15 of the '941 patent?

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

If you answered "Yes," which products:

iPhone 4:	_____ Yes _____ No
iPad2 3G:	_____ Yes _____ No

2. If you find that none of Apple's devices has infringed Samsung's '941 patent, skip this question. Otherwise, with respect to Claim 10 or 15 of the '941 patent, has Samsung proved by clear and convincing evidence that Apple actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by clear and convincing evidence that

the '941 Patent is invalid? \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes," do you find that:

Claim 10 of the '941 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 15 of the '941 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 10 of the '941 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 15 of the '941 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Has Apple proved by a preponderance of evidence that sales of the baseband processor chips incorporated in Apple's devices exhaust Samsung's rights in the '941 patent?

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

5. If you answered question 1 "Yes" and questions 3 and 4 "No," what has Samsung proved it is entitled to as a reasonable royalty? \$\_\_\_\_\_

6. On what date did Apple have actual notice of Samsung's claim for infringement? \_\_\_\_\_

### **SAMSUNG'S '604 PATENT**

1. Do you find that Samsung has proved by a preponderance of the evidence that any of Apple's devices infringe Claims 17 or 18 of the '604 patent?

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

If you answered "Yes," which products:

iPhone 3G: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPhone 3GS: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPhone 4: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPad 3G: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPad2 3G : \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If you find that none of Apple's devices has infringed Samsung's '604 patent, skip this question. Otherwise, with respect to Claim 17 or 18 of the '604 patent, has Samsung proved by clear and convincing evidence that Apple actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by clear and convincing evidence that the '604 Patent is invalid?

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

If you answer "Yes," do you find that:

Claim 17 of the '604 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Claim 18 of the '604 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Claim 17 of the '604 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Claim 18 of the '604 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Has Apple proved by a preponderance of evidence that sales of the baseband processor chips incorporated in Apple's devices exhaust Samsung's rights in the '604 patent?

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

5. If you answered question 1 "Yes" and questions 3 and 4 "No," what has Samsung proved it is entitled to as a reasonable royalty? \$\_\_\_\_\_

6. On what date did Apple have actual notice of Samsung's claim for infringement? \_\_\_\_\_

### **SAMSUNG'S '516 PATENT**

1. Do you find that Samsung has proved by a preponderance of the evidence that any of Apple's devices infringe Claims 15 or 16 the '516 patent?

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

If you answer "Yes," which products:

iPhone 4 : \_\_\_\_\_ Yes \_\_\_\_\_ No  
iPad2 3G: \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If you find that none of Apple's devices has infringed Samsung's '516 patent, skip this question. Otherwise, with respect to Claim 15 or 16 of the '516 patent, has Samsung proved by clear and convincing evidence that Apple actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by clear and convincing evidence that the '516 Patent is invalid?

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

If you answer "Yes," do you find that:

Claim 15 of the '516 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Claim 16 of the '516 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Claim 15 of the '516 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Claim 16 of the '516 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Has Apple proved by a preponderance of evidence that sales of the baseband processor chips incorporated in Apple's devices exhaust Samsung's rights in the '516 patent?

5. If you answered question 1 "Yes" and questions 3 and 4 "No," what has Samsung proved it is entitled to as a reasonable royalty: \$\_\_\_\_\_

6. On what date did Apple have actual notice of Samsung's claim for infringement? \_\_\_\_\_

**SAMSUNG'S '711 PATENT**

1. Do you find that Samsung has proved by a preponderance of the evidence that any of Apple's devices infringe Claim 9 of the '711 patent ?

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

If you answer "Yes," do you find that:

iPhone 3G: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPhone 3GS: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPhone 4: \_\_\_\_\_ Yes \_\_\_\_\_ No

iPod Touch: \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If you find that none of Apple's devices has infringed Samsung's '711 patent, skip this question. Otherwise, with respect to Claim 9 of the '711 patent, has Samsung proved by clear and convincing evidence that Apple actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by clear and convincing evidence that the '711 Patent is invalid?

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

If you answer "Yes," do you find that:

Claim 9 of the '711 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 9 of the '711 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. If you answered question 1 "Yes" and question 3 "No," what has Samsung proved it is entitled to as a reasonable royalty: \$\_\_\_\_\_

**SAMSUNG'S '460 PATENT**

1. Do you find that Samsung has proved by a preponderance of the evidence that any of Apple's devices infringe claim 1 the '460 Patent either literally or under the doctrine of equivalents?

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

If you answer "Yes," do you find that:

iPhone 3G :	_____ Yes _____ No
iPhone 3GS:	_____ Yes _____ No
iPhone 4:	_____ Yes _____ No
iPad 2:	_____ Yes _____ No
iPod Touch:	_____ Yes _____ No

2. Do you find that Samsung has proved that it is more likely than not that consumers directly infringed the '460 patent, that Apple took action that actually induced direct infringement by those consumers, and that Apple was aware of the '460 patent and knew that the acts it was causing would be infringing?

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

3. Do you find that Samsung has proved that it is more likely than not that someone directly infringe the '460 patent, and that Apple offered for sale, sold, or imported; a material component of the patented design that is not a staple article of commerce capable of substantial non-infringing use; with knowledge that the component was especially made or adapted for use in an infringing device?

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

4. If you find that none of Apple's devices has infringed Samsung's '460 patent, skip this question. Otherwise, with respect to Claim 1 of the '460 patent, has Samsung proved by clear and convincing evidence that Apple actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

5. Do you find that Apple has proved by clear and convincing evidence that the '460 Patent is invalid?

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

If you answer "Yes," do you find that:

Claim 1 of the '460 patent is anticipated: \_\_\_\_\_ Yes \_\_\_\_\_ No

Claim 1 of the '460 patent is obvious: \_\_\_\_\_ Yes \_\_\_\_\_ No

6. If you answered question 1, 2, or 3 "Yes" and question 5 "No," what has Samsung proved it is entitled to as a reasonable royalty? \$ \_\_\_\_\_

**SAMSUNG'S '893 PATENT**

1. Do you find that Samsung has proved by a preponderance of the evidence that any of Apple's devices infringe Claim 10 of the '893 Patent?

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

If you answer "Yes," do you find that:

iPhone 3GS:  
iPhone 4:  
iPad 2:  
iPod Touch:

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

2. If you find that none of Apple's devices has infringed Samsung's '893 patent, skip this question. Otherwise, with respect to Claim 10 of the '893 patent, has Samsung proved by clear and convincing evidence that Apple actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent?

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

3. Do you find that Apple has proved by clear and convincing evidence that the '893 Patent is invalid?

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

If you answer "Yes," do you find that:

Claim 10 of the '893 patent is anticipated:  
Claim 10 of the '893 patent is obvious:

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

4. If you answered question 1 "Yes" and question 3 "No," what has Samsung proved it is entitled to as a reasonable royalty? \$\_\_\_\_\_

**APPLE'S ANTITRUST AND CONTRACT CLAIMS**

1. Do you find that Samsung has asserted a standards essential patent?

If you answer "Yes," do you find that:

The '941 patent is a standards essential patent?  
The '516 patent is a standards essential patent?  
The '604 patent is a standards essential patent?

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

If you answer "No" skip the remaining questions in this section.

2. Do you find that Apple has proved by a preponderance of evidence that there exists an alleged technology market that is a relevant antitrust market? \_\_\_\_\_ Yes \_\_\_\_\_ No

3. Do you find that Apple has proved by a preponderance of evidence that Samsung possessed monopoly power in any such market? \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Do you find that Apple has proved by a preponderance of evidence that Samsung willfully acquired or maintained its monopoly power in any such market by engaging in anticompetitive conduct? \_\_\_\_\_ Yes \_\_\_\_\_ No

5. Do you find that Apple has proved by a preponderance of evidence that Samsung's anticompetitive conduct was a substantial factor in causing injury to Apple in its business or property? \_\_\_\_\_ Yes \_\_\_\_\_ No

6. Do you find that Samsung has proved by a preponderance of evidence its defense of a legitimate business purpose? \_\_\_\_\_ Yes \_\_\_\_\_ No

7. If you answer "Yes" to questions 1, 2, 3, 4, and 5, and "No" to question 6, do you find that Apple was in fact injured as a result of Samsung's alleged violation of the antitrust laws? \_\_\_\_\_ Yes \_\_\_\_\_ No

8. Do you find that Samsung has breached an obligation to Apple by not granting Apple an irrevocable license on fair, reasonable and non-discriminatory terms and conditions to a Samsung patent that is essential to the UMTS standard? \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answer "Yes" to question 8, please indicate the patent or patents for which the obligation was breached:

The '941 patent? \_\_\_\_\_ Yes \_\_\_\_\_ No

The '516 patent? \_\_\_\_\_ Yes \_\_\_\_\_ No

The '604 patent? \_\_\_\_\_ Yes \_\_\_\_\_ No

9. If you answered question 8 "Yes," what actual damages, if any, should Apple be awarded?  
\$ \_\_\_\_\_

10. Do you find that any of the following Korean Patent Applications is IPR that was subject to an obligation to be disclosed to ETSI:

Korean Patent Application No. 1998-11380? \_\_\_\_\_ Yes \_\_\_\_\_ No

Korean Patent Application No. 2004-42300? \_\_\_\_\_ Yes \_\_\_\_\_ No

Korean Patent Application No. 1999-11179? \_\_\_\_\_ Yes \_\_\_\_\_ No

11. If you answered "Yes" with respect to any Korean Patent Application listed in question 3, do you find that Samsung breached an obligation to use reasonable endeavors to timely inform ETSI of that application?

Korean Patent Application No. 1998-11380? \_\_\_\_\_ Yes \_\_\_\_\_ No

Korean Patent Application No. 2004-42300?  
Korean Patent Application No. 1999-11179?

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

12. If there is at least one Korean Patent Application for which the answers to questions 3 and 4 were "Yes," what actual damages, if any, should Apple be awarded?

\$ \_\_\_\_\_

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict form in the spaces below and notify the Security Guard that you have reached a verdict. The Presiding Juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

Dated: \_\_\_\_\_, 2012.

By: \_\_\_\_\_  
Presiding Juror