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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC., a California corporation,)	
)	
Plaintiff and Counterdefendant,)	Case No.: 12-CV-00630-LHK
)	
v.)	VERDICT FORM
)	
SAMSUNG ELECTRONICS CO., LTD., a)	[AMENDED TENTATIVE]
Korean corporation; SAMSUNG)	
ELECTRONICS AMERICA, INC., a New York)	
corporation; and SAMSUNG)	
TELECOMMUNICATIONS AMERICA, LLC,)	
a Delaware limited liability company,)	
)	
Defendants and Counterclaimants.)	
)	

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:

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APPLE’S PATENT CLAIMS AGAINST SAMSUNG

1. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (“SEC”), Samsung Electronics America (“SEA”), and/or Samsung Telecommunications America (“STA”) has infringed Claim 9 of the ’647 Patent?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Admire (JX28B, JX28C)			
Galaxy Nexus (JX29A, JX29B, JX29C, JX29D, JX29E, JX29G, JX29H, JX29I, JX72)			
Galaxy Note (JX30A, JX30B, JX30C)			
Galaxy Note II (JX31A, JX31B, JX31C)			
Galaxy S II (JX32A, JX32B, JX32C, JX32D, JX32E, JX32F)			
Galaxy S II Epic 4G Touch (JX33A, JX33B, JX33C)			
Galaxy S II Skyrocket (JX34A, JX34B, JX34C, JX34D)			
Galaxy S III (JX35A, JX35B, JX35C, JX35D, JX35E, JX35F, JX35G, JX35H, JX35I, JX35J, JX35L, JX35M, JX35N, JX35O)			
Stratosphere (JX37A, JX37B)			

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2. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (“SEC”), Samsung Electronics America (“SEA”), and/or Samsung Telecommunications America (“STA”) has infringed Claim 25 of the ’959 Patent?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Admire (JX28B, JX 28C)			
Galaxy Nexus (JX29A, JX29B, JX29C, JX29D, JX29E, JX29G, JX29H, JX29I)			
Galaxy Note (JX30A, JX30B, JX 30C)			
Galaxy Note II (JX31A, JX31B, JX31C)			
Galaxy S II (JX32A, JX32B, JX32C, JX32E, JX32F)			
Galaxy S II Epic 4G Touch (JX33A, JX33B, JX33C)			
Galaxy S II Skyrocket (JX34A, JX34B, JX34C)			
Galaxy S III (JX35G, JX35H, JX35I, JX35J, JX35M, JX35O)			
Galaxy Tab 2 10.1 (JX36B, JX36C)			
Stratosphere (JX37A)			

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3. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (“SEC”), Samsung Electronics America (“SEA”), and/or Samsung Telecommunications America (“STA”) has infringed Claim 20 of the ’414 Patent?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Admire (JX28B, JX 28C)			
Galaxy Nexus (JX29A, JX29B, JX29C, JX29D, JX29E, JX29G, JX29H, JX29I, JX72)			
Galaxy Note (JX30A, JX30B, JX 30C)			
Galaxy Note II (JX31A, JX31B, JX31C)			
Galaxy S II (JX32A, JX32B, JX32C, JX32D, JX32E, JX32F)			
Galaxy S II Epic 4G Touch (JX33A, JX33B, JX33C)			
Galaxy S II Skyrocket (JX34A, JX34B, JX34C, JX34D)			
Galaxy S III (JX35A, JX35B, JX35C, JX35D, JX35E, JX35F, JX35G, JX35H, JX35I, JX35J, JX35L, JX35M, JX35N, JX35O)			
Galaxy Tab 2 10.1 (JX36A, JX36B, JX36C, JX36D)			
Stratosphere (JX37A, JX37B)			

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4. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (“SEC”) and/or Samsung Telecommunications America (“STA”) has infringed Claim 8 of the ’721 Patent?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Admire (JX28B)			
Galaxy Nexus (JX29A, JX29B, JX29C, JX29D, JX29E, JX29H, JX29I, JX72)			
Galaxy S II (JX32C, JX32E)			
Galaxy S II Epic 4G Touch (JX33A, JX33B)			
Galaxy S II Skyrocket (JX34C)			
Stratosphere (JX37A)			

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5. If you found that Samsung Electronics America (“SEA”) or Samsung Telecommunications America (“STA”) infringed in Questions 1-4, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (“SEC”) took action that it knew or should have known would induce SEA or STA to infringe the ’647 Patent, ’959 Patent, ’414 Patent, and/or ’721 Patent?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Accused Samsung Product	’647 Patent	’959 Patent	’414 Patent	’721 Patent
Admire (JX28)				
Galaxy Nexus (JX29)				
Galaxy Note (JX30)				
Galaxy Note II (JX31)				
Galaxy S II (JX32)				
Galaxy S II Epic 4G Touch (JX33)				
Galaxy S II Skyrocket (JX34)				
Galaxy S III (JX35)				
Galaxy Tab 2 10.1 (JX36)				
Stratosphere (JX37)				

6. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (“SEC”) took action it knew or should have known would contribute to infringement of the ’647 Patent, ’959 Patent, ’414 Patent, and/or ’721 Patent?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Accused Samsung Product	’647 Patent	’959 Patent	’414 Patent	’721 Patent
Admire (JX28)				
Galaxy Nexus (JX29)				
Galaxy Note (JX30)				
Galaxy Note II (JX31)				
Galaxy S II (JX32)				
Galaxy S II Epic 4G Touch (JX33)				
Galaxy S II Skyrocket (JX34)				
Galaxy S III (JX35)				
Galaxy Tab 2 10.1 (JX36)				
Stratosphere (JX37)				

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7. Has Apple proven by clear and convincing evidence that the Samsung entity’s infringement of any of the following patents was willful?

Please answer in each cell with a “Y” for “yes” (for Apple), or with an “N” for “no” (for Samsung). Do not provide an answer for any cell that is blacked out.

Apple Patents	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
'647 Patent (Claim 9)			
'959 Patent (Claim 25)			
'414 Patent (Claim 20)			
'721 Patent (Claim 8)			
'172 Patent (Claim 18)			

8. Has Samsung proven by clear and convincing evidence that Apple’s asserted patent claims are invalid?

<u>'647 Patent (Claim 9)</u>	Yes ____ (for Samsung)	No ____ (for Apple)
<u>'959 Patent (Claim 25)</u>	Yes ____ (for Samsung)	No ____ (for Apple)
<u>'414 Patent (Claim 20)</u>	Yes ____ (for Samsung)	No ____ (for Apple)
<u>'721 Patent (Claim 8)</u>	Yes ____ (for Samsung)	No ____ (for Apple)
<u>'172 Patent (Claim 18)</u>	Yes ____ (for Samsung)	No ____ (for Apple)

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DAMAGES TO APPLE FROM SAMSUNG (IF APPLICABLE)

9. What is the total dollar amount that Apple is entitled to receive from Samsung on the claims on which you have ruled in favor of Apple?

\$ _____.

10. a. For the total dollar amount in your answer to Question 9, please provide in the chart on the next page the dollar breakdown for each product. Do not provide an answer for any cell that is blacked out.

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Accused Samsung Product	'647 Patent Claim 9	'959 Patent Claim 25	'414 Patent Claim 20	'721 Patent Claim 8	'172 Patent Claim 18	TOTAL
Admire (JX28)						
Galaxy Nexus (JX29)						
Galaxy Note (JX30)						
Galaxy Note II (JX31)						
Galaxy S II (JX32)						
Galaxy S II Epic 4G Touch (JX33)						
Galaxy S II Skyrocket (JX34)						
Galaxy S III (JX35)						
Galaxy Tab 2 10.1 (JX36)						
Stratosphere (JX37)						

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b. For the dollar amount in your answer to Question 10.a., please provide the dollar breakdown for the following products and following periods:

Accused Samsung Product	August 1, 2011 – June 30, 2012	July 1, 2012 – August 24, 2012	August 25, 2012 - Present
Galaxy S II (JX32)			
Galaxy S II Epic 4G Touch (JX33)			
Galaxy S II Skyrocket (JX34)			

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SAMSUNG’S PATENT CLAIMS AGAINST APPLE

11. For each of the following products, has Samsung proven by a preponderance of the evidence that Apple has infringed Claim 15 of the '239 Patent?

Please answer in each cell with a “Y” for “yes” (for Samsung), or with an “N” for “no” (for Apple).

Accused Apple Product	'239 Patent
iPhone 4 (JX38)	
iPhone 4S (JX39)	
iPhone 5 (JX40)	

12. For each of the following products, has Samsung proven by a preponderance of the evidence that Apple has infringed Claim 27 of the '449 Patent?

Please answer in each cell with a “Y” for “yes” (for Samsung), or with an “N” for “no” (for Apple).

Accused Apple Product	'449 Patent
iPhone 4 (JX38)	
iPhone 4S (JX39)	
iPhone 5 (JX40)	
iPod touch, 4th gen. (JX45)	
iPod touch, 5th gen. (JX46)	

13. Has Samsung proven by clear and convincing evidence that Apple’s infringement of any of the following patents after April 18, 2012 was willful?

Please answer in each cell with a “Y” for “yes” (for Samsung), or with an “N” for “no” (for Apple).

Samsung Patents	Apple
'239 Patent (Claim 15)	
'449 Patent (Claim 27)	

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DAMAGES TO SAMSUNG FROM APPLE (IF APPLICABLE)

14. What is the total dollar amount that Samsung is entitled to receive from Apple on the claims on which you have ruled in favor of Samsung?

\$ _____.

15. For the total dollar amount in your answer to Question 14, please provide in the chart below the dollar breakdown for each product. Do not provide an answer for any cell that is blacked out.

Accused Apple Product	'449 Patent Claim 27	'239 Patent Claim 15	TOTAL
iPhone 4 (JX38)			
iPhone 4S (JX39)			
iPhone 5 (JX40)			
iPod Touch, 4th gen. (JX46)			
iPod Touch, 5th gen. (JX45)			

Have the presiding juror sign and date this form.

Signed: _____
PRESIDING JUROR

Date: _____