# EXHIBIT K

# IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS

|  | §      |                                  |
|--|--------|----------------------------------|
| Eolas Technologies, Inc.,                        | §      |                                  |
|  | §      |                                  |
| Plaintiff,                                       | §      |                                  |
|  |        |                                  |
| VS.  | §<br>§ |                                  |
|  | §      | Civil Action No. 6:09-cv-446-LED |
| Adobe Systems, Inc, Amazon.com, Inc.,            | §      |                                  |
| Apple Inc., Argosy Publishing, Inc.,             | §      |                                  |
| Blockbuster Inc., CDW Corp., Citigroup Inc.,     | §      |                                  |
| eBay Inc., Frito-Lay, Inc., The Go Daddy         | §      |                                  |
| Group, Inc., Google Inc., J.C. Penney            | §      |                                  |
| Company, Inc., JPMorgan Chase & Co., New         | §      |                                  |
| Frontier Media, Inc., Office Depot, Inc.,        | §      |                                  |
| Playboy Enterprises International, Inc., Rent-A- | §      |                                  |
| Center, Inc., Staples, Inc., Sun Microsystems    | §      |                                  |
| Inc., Texas Instruments Inc., Yahoo! Inc., and   | §      |                                  |
| YouTube, LLC,                                    | §      |                                  |
|  | §      |                                  |
| Defendants.                                      | §      |                                  |
|  | §      |                                  |

# **VERDICT FORM**

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

# **INFRINGEMENT**

1. Did Eolas prove by a preponderance of the evidence that Yahoo! infringes one or more claims of the asserted patents?

Answer "Yes" or "No" to the question below. If you answer "No," please proceed to the next question. If you answer "Yes," please check the claim(s) you found infringed and indicate whether the infringement was direct and/or indirect on the chart below.

| Yes | No |  |
|-----|----|--|
|     |    |  |

| '906 Patent | Type of Infringement |  |  |
|-------------|----------------------|--|--|
| Claim 1     | Direct Indirect      |  |  |
| Claim 6     | Direct Indirect      |  |  |
| '985 Patent |                      |  |  |
| Claim 1     | Direct Indirect      |  |  |
| Claim 3     | Direct Indirect      |  |  |
| Claim 16    | Direct Indirect      |  |  |
| Claim 18    | Direct Indirect      |  |  |
| Claim 20    | Direct Indirect      |  |  |
| Claim 22    | Direct Indirect      |  |  |
| Claim 36    | Direct Indirect      |  |  |
| Claim 38    | Direct Indirect      |  |  |
| Claim 40    | Direct Indirect      |  |  |
| Claim 42    | Direct Indirect      |  |  |

#### **INVALIDITY**

2. For each asserted claim, did Defendants prove by clear and convincing evidence that the claim is invalid for anticipation, obviousness or lack of written description?

Answer "Yes" or "No" to each question below. Answer questions for all claims regardless of whether you have found those claims were infringed.

| '906 Patent | Invalid? |    |  |
|-------------|----------|----|--|
| Claim 1     | Yes      | No |  |
| Claim 6     |          |    |  |
| '985 Patent |          |    |  |
| Claim 1     | Yes      | No |  |
| Claim 3     |          |    |  |
| Claim 16    | Yes      |    |  |
| Claim 18    | Yes      | No |  |
| Claim 20    | Yes      | No |  |
| Claim 22    | Yes      | No |  |
| Claim 36    | Yes      | No |  |
| Claim 38    | Yes      | No |  |
| Claim 40    | Yes      | No |  |
| Claim 42    | Yes      | No |  |

#### **WILLFULNESS**

ANSWER THESE QUESTIONS FOR EACH PATENT ONLY IF YOU ANSWERED "YES" IN QUESTION 1 ABOVE FOR EACH PATENT – OTHERWISE SKIP THIS QUESTION AND PROCEED TO QUESTION 4

| 3. | Did Eolas prove by clear and convincing evidence that Yahoo! willfully infringed the patents in suit?  Answer "Yes" or "No" for each listed patent: |     |    |  |  |
|----|---|-----|----|--|--|
|    |   |     |    |  |  |
|    | '906 Patent:  | Yes | No |  |  |
|    | '985 Patent:  | Yes | No |  |  |

# INEQUITABLE CONDUCT

| 4. | Did Defendants prove by clear and convincing evidence that:   |  |  |  |  |
|----|---|--|--|--|--|
|    | a) Anyone involved in the prosecution of the '906 and '985 patents withheld material prior art from the Patent and Trademark Office?        |  |  |  |  |
|    | Please answer "Yes" or "No" in the spaces provided below  |  |  |  |  |
|    | Yes No  |  |  |  |  |
|    |   |  |  |  |  |
|    | b) Any withholding of material prior art to the '906 and '985 patents from the Patent and Trademark Office was done with intent to deceive? |  |  |  |  |
|    | Please answer "Yes" or "No" in the spaces provided below  |  |  |  |  |
|    | Yes No  |  |  |  |  |
|    |   |  |  |  |  |

### **DAMAGES**

ANSWER THIS QUESTION ONLY IF YOU FOUND ANY ASSERTED CLAIMS INFRINGED AND NOT INVALID. IF YOU FOUND NO CLAIMS INFRINGED AND NOT INVALID, PLEASE DO NOT ANSWER THIS QUESTION.

| 5. | What sum of money, if any fairly and reasonably con infringement of the patent cla | npensate Eolas for                        | Yahoo!'s curren | nt, past, and | future |  |  |
|----|--|---|-----------------|---------------|--------|--|--|
|    | Please enter the amount of da  | Please enter the amount of damages below. |                 |               |        |  |  |
|    | Damages Awarded  |   |                 |               |        |  |  |
|    | Amount   | \$  |                 |               |        |  |  |