

EXHIBIT D

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 Adobe directly infringes any of the following asserted claims of the '906 patent?

Answer "Yes" or "No" to each question below.

'906 Patent	Yes	No
Claim 1		
Claim 6		

2. Did Eolas prove by a preponderance of the evidence that Adobe has induced infringement of any of the following asserted claims of the '906 patent?

Answer "Yes" or "No" to each question below.

'906 Patent	Yes	No
Claim 1		
Claim 6		

3. Did Eolas prove by a preponderance of the evidence that Adobe directly infringes any of the following asserted claims of the '985 patent?

Answer "Yes" or "No" to each question below.

'985 Patent	Yes	No
Claim 1		
Claim 2		
Claim 3		

Claim 8		
Claim 10		
Claim 11		
Claim 16		
Claim 17		
Claim 18		
Claim 20		
Claim 21		
Claim 22		
Claim 36		
Claim 37		
Claim 38		
Claim 39		
Claim 40		
Claim 41		
Claim 42		
Claim 43		

4. Did Eolas prove by a preponderance of the evidence that Adobe has induced infringement of any of the following asserted claims of the '985 patent?

Answer "Yes" or "No" to each question below.

'985 Patent	Yes	No
Claim 1		
Claim 2		
Claim 3		
Claim 8		
Claim 10		
Claim 11		
Claim 16		
Claim 17		
Claim 18		
Claim 20		
Claim 21		
Claim 22		
Claim 36		
Claim 37		
Claim 38		
Claim 39		
Claim 40		
Claim 41		
Claim 42		

Claim 43		
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INVALIDITY

5. Did Defendants prove by clear and convincing evidence that any of the asserted patent claims is invalid?

Answer “Yes” or “No” to each question below. Your answer need not be the same for each question, but you may find that a claim is invalid on any or all of these bases. Answer all questions for all claims regardless of whether you have found those claims were infringed.

‘906 Patent	Anticipation?	Obviousness?	Written description?
Claim 1			
Claim 6			
‘985 Patent	Anticipation?	Obviousness?	Written description?
Claim 1			
Claim 2			
Claim 3			
Claim 8			
Claim 10			
Claim 11			
Claim 16			
Claim 17			
Claim 18			
Claim 20			
Claim 21			
Claim 22			
Claim 36			
Claim 37			
Claim 38			
Claim 39			
Claim 40			
Claim 41			
Claim 42			
Claim 43			

INEQUITABLE CONDUCT

Did Defendants prove by clear and convincing evidence that:

- a) Anyone involved in the prosecution of the '906 or '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 or '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 ____

