

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

FILED
P.M. 5-15-08
DAVE J. MULLANE, CLERK
U.S. DISTRICT COURT
By DH
DEPUTY

ANASCAPE, LTD.,

Plaintiff,

NINTENDO OF AMERICA, INC.,

Defendant.

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Civil Action No. 9:06-CV-158

JUDGE RON CLARK

VERDICT FORM

QUESTION NO. 1 (INFRINGEMENT):

(a) Do you find by a preponderance of evidence that Nintendo's Wii Remote controller, connected to the Wii Nunchuk controller, infringes the '700 patent? Answer "YES" or "NO" as to each claim.

Claim 19 No

(b) Do you find by a preponderance of evidence that Nintendo's Wii Classic controller, connected to the Wii Remote Controller, infringes the '700 patent? Answer "YES" or "NO" as to each claim.

Claim 19 Yes

Claim 22 Yes

Claim 23 Yes

(c) Do you find by a preponderance of evidence that Nintendo's GameCube controller infringes the '700 patent? Answer "YES" or "NO" as to each claim.

Claim 14 Yes

Claim 16 Yes

Claim 19 Yes

Claim 22 Yes

Claim 23 Yes

(d) Do you find by a preponderance of evidence that Nintendo's GameCube WaveBird wireless controller infringes the '700 patent? Answer "YES" or "NO" as to each claim.

Claim 14 Yes

QUESTION NO. 2 (ANTICIPATION):

Do you find by clear and convincing evidence that any of the following claims of the '700 patent are anticipated? Answer "YES" or "NO" as to each claim.

Claim 14 No

Claim 19 No

Claim 22 No

Claim 23 No

QUESTION NO. 3 (OBVIOUSNESS):

Do you find by clear and convincing evidence that the following claim of the '700 patent is invalid as obvious? Answer "YES" or "NO" as to each claim.

Claim 16 No

QUESTION NO. 4 (WRITTEN DESCRIPTION):

Do you find by clear and convincing evidence that any of the claims are invalid because the '700 patent fails to satisfy the written description requirement? Answer "YES" or "NO" as to each claim.

Claim 14 No

Claim 16 No

Claim 19 No

Claim 22 No

Claim 23 No

If you answered "YES" to any claim in Question No. 1 and "NO" to that same claim in Questions Nos. 2, 3, and 4 then answer Question No. 5. Otherwise, do not answer Question No. 5, and go on to initial and date the verdict form.

QUESTION NO. 5 (DAMAGES): What sum of money, if any, do you find is adequate to compensate Anascape, Ltd. for the conduct you found to infringe from July 31, 2006 through today?

A reasonable royalty from July 31, 2006 through today:

\$ 21,000,000.⁰⁰

Date: 5/14/08

Initials of Foreperson: TH