

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ULTRATEC, INC. and CAPTEL, INC.,

Plaintiffs,

SPECIAL VERDICT
FORM – LIABILITY
[28 SEPTEMBER DRAFT]
14-cv-66-jdp

v.

SORENSEN COMMUNICATIONS, INC. and
CAPTIONCALL, LLC,

Defendants.

We, the jury, for our special verdict, do find as follows:

QUESTION NO. 1: Are the CapTel trials prior art?

A “yes” is a finding favorable to defendants and a “no” is a finding favorable to plaintiffs.

Answer “yes” or “no”: _____

If you answered “yes,” then you may consider the CapTel trials as prior art in your consideration of the remaining questions. If you answered “no,” then you may not consider the CapTel trials to be prior art for the remaining questions.

QUESTION NO. 2: Have defendants proven by clear and convincing evidence that any of the following patent claims are invalid because they were obvious.

A “yes” is a finding for defendants and a “no” is a finding for plaintiffs.

Patent Claim	Yes	No
Claim 11 of the '398 Patent		
Claim 12 of the '398 Patent		
Claim 13 of the '398 Patent		

Proceed to question 3.

QUESTION NO. 3: Have defendants proven by clear and convincing evidence that any of the following patent claims are invalid because the written description of the '398 patent fails to describe the full scope of the claimed invention?

A “yes” is a finding for defendants and a “no” is a finding for plaintiffs.

Patent Claim	Yes	No
Claim 11 of the '398 Patent		
Claim 12 of the '398 Patent		
Claim 13 of the '398 Patent		

Proceed to question 4.

QUESTION NO. 4: Have defendants proven by clear and convincing evidence that any of the following patent claims are invalid because they fail to enable a person of ordinary skill in the field to make and use the full scope of the claimed invention?

A “yes” is a finding for defendants and a “no” is a finding for plaintiffs.

Patent Claim	Yes	No
Claim 11 of the '398 Patent		
Claim 12 of the '398 Patent		
Claim 13 of the '398 Patent		

Presiding Juror

Madison, Wisconsin

Dated this ___ day of October, 2015