

Exhibit 1

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TV INTERACTIVE DATA
CORPORATION,

Plaintiff,

v.

SONY CORPORATION, et al.,

Defendants.

Case No. [10-cv-00475-JCS](#)

FINAL JURY INSTRUCTIONS

Dated: March 25, 2013



Joseph C. Spero
United States Magistrate Judge

1 **JURY INSTRUCTION NO. 1**

2 **Duty of Jury**

3 Members of the Jury: Now that you have heard all of the evidence and the arguments of
4 the attorneys, it is my duty to instruct you as to the law of the case. Each of you has received a
5 copy of the Court's Preliminary and Final Jury Instructions, which you may take with you to the
6 jury room to consult during your deliberations. You must not infer from these instructions or from
7 anything I may say or do as indicating that I have an opinion regarding the evidence or what your
8 verdict should be. It is your duty to find the facts from all the evidence in the case. To those facts
9 you will apply the law as I give it to you. You must follow the law as I give it to you whether you
10 agree with it or not. And you must not be influenced by any personal likes or dislikes, opinions,
11 prejudices, or sympathy. That means that you must decide the case solely on the evidence before
12 you. You will recall that you took an oath to do so. In following my instructions, you must follow
13 all of them and not single out some and ignore others; they are all important.

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United States District Court
Northern District of California

1 **JURY INSTRUCTION NO. 2**

2 **Burden of Proof – Preponderance of the Evidence**

3 When a party has the burden of proof on any claim or affirmative defense by a
4 preponderance of the evidence, it means you must be persuaded by the evidence that the claim or
5 affirmative defense is more probably true than not true. You should base your decision on all of
6 the evidence, regardless of which party presented it.

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United States District Court
Northern District of California

1 **JURY INSTRUCTION NO. 3**

2 **Burden of Proof – Clear and Convincing Evidence**

3 When a party has the burden of proving any claim or defense by clear and convincing
4 evidence, it means you must be persuaded by the evidence that the claim or defense is highly
5 probable. This is a higher standard of proof than proof by a preponderance of the evidence. You
6 should base your decision on all of the evidence, regardless of which party presented it.

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