

Exhibit 4

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

POWER INTEGRATIONS, INC.,
a Delaware corporation,

Plaintiff,

v.

FAIRCHILD SEMICONDUCTOR
INTERNATIONAL, INC., a Delaware
corporation, FAIRCHILD SEMICONDUCTOR
CORPORATION, a Delaware corporation, and
FAIRCHILD (TAIWAN) CORPORATION,
a Taiwanese corporation,

Defendants.

Case No. 09-cv-05235- MMC

FINAL JURY INSTRUCTIONS

1 **1. GENERAL INSTRUCTIONS**

2 **1.1 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. A copy of these instructions
5 will be sent with you to the jury room when you deliberate. You will also have a verdict form,
6 which will list the questions that you must answer to decide this case.

7 You must not infer from these instructions or from anything I may say or do as indicating
8 that I have an opinion regarding the evidence or what your verdict should be.

9 It is your duty to find the facts from all the evidence in the case. To those facts you will
10 apply the law as I give it to you. You must follow the law as I give it to you whether you agree
11 with it or not. And you must not be influenced by any personal likes or dislikes, opinions,
12 prejudices, or sympathy. That means that you must decide the case solely on the evidence before
13 you. You will recall that you took an oath to do so.

14 In following my instructions, you must follow all of them and not single out some and
15 ignore others; they are all important.

1.2 BURDENS OF PROOF

This is a civil case in which Power Integrations is the owner of two patents which it has already been determined that Fairchild infringes. A party whose patents have been infringed is entitled to money damages. The factual issues you will decide must be proven by what we refer to as a “preponderance of the evidence.” That means Power Integrations has to produce evidence that, when considered in light of all of the facts, leads you to believe that what Power Integrations claims is more likely true than not. To put it differently, if you were to put the parties’ evidence on opposite sides of a scale, the evidence supporting the claims of Power Integrations must make the scales tip somewhat to its side.

Some of you may have heard the phrase “proof beyond a reasonable doubt.” That burden of proof applies only in criminal cases and has nothing to do with a civil case like this one. You should therefore not consider it in this case.

1.3 WHAT IS AND WHAT IS NOT EVIDENCE

I want to remind you once again what is, and what is not, evidence that you must use to decide the facts of this case. The evidence you are to consider in deciding what the facts are consists of:

1. The sworn testimony of witnesses, on both direct and cross-examination, regardless of who called the witness;
2. The exhibits that have been admitted into evidence; and
3. Any facts to which all the parties have agreed.

In reaching your verdict, you must consider only the testimony and exhibits admitted into evidence. Certain things are not evidence, and you may not consider them in deciding what the facts are. I will list them for you:

1. Arguments and statements by lawyers are not evidence. The lawyers are not witnesses. What they have said in their opening statements, closing arguments, and at other times is intended to help you interpret the evidence, but it is not evidence. If the facts as you remember them differ from the way the lawyers have stated them, your memory of them controls.
2. Questions and objections by lawyers are not evidence. Attorneys have a duty to their clients to object when they believe a question is improper under the rules of evidence. You should not be influenced by the objection or by the Court's ruling on it.
3. Testimony that has been excluded or stricken, or that you have been instructed to disregard, is not evidence and must not be considered. In addition some testimony and exhibits have been admitted only for a limited purpose; where I have given a limiting instruction, you must follow it.
4. Anything you have seen or heard when the Court was not in session is not evidence. You are to decide the case solely on the evidence received at trial.

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