Trading Technologies alleges that CQG's ChartTrader literally infringes Claim 1 and Claim 8 of the '132 patent when ChartTrader is operating in the "Regular Scroll Mode."

U.S. Patent No. 6,766,304

Trading Technologies alleges that CQG's DOMTrader literally infringes Claim 1 and Claim 27 of the '304 patent when DOMTrader is operating in the "Browse Prices Mode" and "Market Window Disabled Mode."

Trading Technologies alleges that CQG's ChartTrader literally infringes Claim 1 and Claim 27 of the '304 patent when ChartTrader is operating in the "Regular Scroll Mode."

v.

CQG, Inc. and CQGT, LLC,

Defendants.

Magistrate Judge Sidney I. Schenkier

VERDICT FORM

INSTRUCTIONS: Answer the following questions 1 through 7, following the jury instructions and the instructions given on this Verdict Form.

Infringement of the '132 Patent

1. Do you find that Trading Technologies has proven, by a preponderance of the evidence, that CQG literally infringed any of the following claims of the U.S. Patent No. 6,772,132?

	Yes – Proven Infringed	No – Not Proven Infringed
Claim 1	✓	
Claim 8	✓	

Infringement of the '304 Patent

2. Do you find that Trading Technologies has proven, by a preponderance of the evidence, that CQG literally has infringed any of the claims of U.S. Patent No. 6,766,304?

	Yes – Proven Infringed	No – Not Proven Infringed
Claim 1	✓	
Claim 27	✓	

Claim 1	_____	_____✓_____
Claim 8	_____	_____✓_____

Induced Infringement of the '304 Patent

4. Do you find that Trading Technologies has proven, by a preponderance of the evidence, that CQG has induced others to infringe any of the claims of U.S. Patent No. 6,766,304?

	Yes – Proven Inducement	No – Not Proven Inducement
Claim 1	_____	_____✓_____
Claim 27	_____	_____✓_____

INSTRUCTIONS: You must answer the following questions only if you find that CQG has infringed or induced others to infringe one or more claims. If you found for CQG on infringement, do not answer the remaining questions. Instead, date and sign this form.

Willful Infringement

5. Do you find that Trading Technologies has proved, by clear and convincing evidence, that CQG's infringement was objectively willful?

Yes _____   No _____✓_____

6. Do you find that Trading Technologies has proved, by clear and convincing evidence, that CQG's infringement was subjectively willful?

Yes _____   No _____✓_____

_____$1.00_____ royalty rate per non-derivative transaction

(The parties agree that the rate for non-derivative transactions is 10 times the futures rate)

_____114,001,136_____ royalty base
(number of futures transactions)

_____1,314,276_____ royalty base
(number of non-derivative transactions)

If you find that the royalty rate should include a minimum payment, please indicate that total amount below.

_____$3,169,717_____ total minimum payment

Calculate the total as follows:

Futures royalty rate times futures base **plus** non-derivative royalty rate times non-derivative base **plus** total minimum payment if any.

_____$15,884,106_____ TOTAL ROYALTY AWARD

JESUS HERNANDEZ