

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

VIRNETX INC.,

Plaintiff,

vs.

APPLE INC.,

Defendant.

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CASE NO. 6:10-CV-417

VERDICT FORM

In answering these questions, you are to follow all of the instructions I have given in the Court's Charge.

1. Did VirnetX prove by a preponderance of the evidence that Apple infringes the following claims of the following patents?

Answer "Yes" or "No" for each Claim.

'135 Patent

Claim 1 yes  
Claim 3 yes  
Claim 7 yes  
Claim 8 yes

'151 Patent

Claim 1 yes  
Claim 13 yes

'504 Patent

Claim 1 yes  
Claim 2 yes  
Claim 5 yes  
Claim 16 yes  
Claim 21 yes  
Claim 27 yes

'211 Patent

Claim 36 yes  
Claim 37 yes  
Claim 47 yes  
Claim 51 yes

VIRNETX EXHIBIT 2001  
New Bav Capital v. Virnetx

2. Did Apple prove by clear and convincing evidence that the following listed claims of the following patents are invalid?

If you find the claim invalid, answer "Yes;" otherwise, answer "No."

'135 Patent

Claim 1	<u>NO</u>
Claim 3	<u>NO</u>
Claim 7	<u>NO</u>
Claim 8	<u>NO</u>

'151 Patent

Claim 1	<u>NO</u>
Claim 13	<u>NO</u>

'504 Patent

Claim 1	<u>NO</u>
Claim 2	<u>NO</u>
Claim 5	<u>NO</u>
Claim 16	<u>NO</u>
Claim 21	<u>NO</u>
Claim 27	<u>NO</u>

'211 Patent

Claim 36	<u>NO</u>
Claim 37	<u>NO</u>
Claim 47	<u>NO</u>
Claim 51	<u>NO</u>

3. What sum of money, if paid now in cash, do you find from a preponderance of the evidence would fairly and reasonably compensate VirnetX for Apple's infringement, if any, of the patents up to the time of trial?

Answer with the amount: \$ 368,160,000.00

