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

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VIRNETX INC.,	§	
1	§	\$
Plaintiff,	§	
	• §	
vs.	§	CASE NO. 6:10-CV-417
	§	
APPLE INC.,	§	
	§	
Defendant.	§	
	§	

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 Claim 3 Claim 7 Claim 8

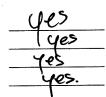
'504 Patent

Claim 1· Claim 2 Claim 5 Claim 16 Claim 21 Claim 27 4es 5es 5es 4es 5es 5es5es '151 Patent

Claim 1 [•] Claim 13

<u>'211 Patent</u>

Claim 36 [•] Claim 37 Claim 47 Claim 51



VIRNETX EXHIBIT 2001 New Bay Capital v. Virnetx

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DOCKE

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			'151 Patent	
Claim 1 Claim 3 Claim 7 Claim 8	NO NO NO	•	Claim 1 Claim 13	N0 N0
'504 Patent	x.		'211 Patent	
Claim 1 Claim 2 Claim 5 Claim 16 Claim 21 Claim 27	N0 N0 N0 N0 N0 N0		Claim 36 Claim 37 Claim 47 Claim 51	60 04 04 00

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

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