

Rec'd 12/19/13
CP

United States District Court
District of Massachusetts

KONINKLIJKE PHILIPS N.V. and PHILIPS
ELECTRONICS NORTH AMERICA CORPORATION,

Plaintiffs/Counterclaim-Defendants,

v.

ZOLL MEDICAL CORPORATION,

Defendant/Counterclaim-Plaintiff.

Civil Action No.
10-11041-NMG

VERDICT FORM

In answering these questions, you are to follow all of the instructions I have given you in the Court's charge. As used herein, "Philips" means the Plaintiffs/Counterclaim-Defendants Koninklijke Philips N.V. and Philips Electronics North America Corporation and "ZOLL" means the Defendant/Counterclaim-Plaintiff ZOLL Medical Corporation.

WE, THE JURY, UNANIMOUSLY FIND AS FOLLOWS:

I. Patent Infringement: Philips's Patents

A. Philips's '460 Self-Test Patent

1) Has Philips proven by a preponderance of the evidence that ZOLL's defibrillators **directly infringe** the following claim of the '460 patent?

U.S. Patent No. 5,800,460				
	AED Plus		AED Pro	
	YES	NO	YES	NO
Claim 7	✓		✓	

2) Has Philips proven by a preponderance of the evidence that others directly infringed the following claim of the '460 patent through use of ZOLL's defibrillators, and that ZOLL **knowingly contributed to** such infringement?

U.S. Patent No. 5,800,460				
	AED Plus		AED Pro	
	YES	NO	YES	NO
Claim 7		✓		✓

3) Has Philips proven by a preponderance of the evidence that others directly infringed the following claim of the '460 patent through use of ZOLL's defibrillators, and that ZOLL **knowingly induced** such infringement?

U.S. Patent No. 5,800,460				
	AED Plus		AED Pro	
	YES	NO	YES	NO
Claim 7		✓		✓

B. Philips's '374 Self-Test Patent

1) Has Philips proven by a preponderance of the evidence that ZOLL's defibrillators **directly infringe** the following claims of the '374 patent?

U.S. Patent No. 5,879,374												
	AED Plus		AED Pro		R Series		E Series		M Series		X Series	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Claim 42	✓		✓		✓							
Claim 43	✓		✓		✓						✓	
Claim 66		✓		✓				✓		✓		
Claim 67	✓		✓		✓							
Claim 68	✓		✓		✓							
Claim 73		✓		✓								

2) Has Philips proven by a preponderance of the evidence that others directly infringed the following claims of the '374 patent through use of ZOLL's defibrillators, and that ZOLL **knowingly contributed to** such infringement?

U.S. Patent No. 5,879,374												
	AED Plus		AED Pro		R Series		E Series		M Series		X Series	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Claim 42		✓		✓		✓						
Claim 43		✓		✓		✓						✓
Claim 66		✓		✓				✓		✓		
Claim 67		✓		✓		✓						
Claim 68		✓		✓		✓						
Claim 73		✓		✓								

3) Has Philips proven by a preponderance of the evidence that others directly infringed the following claims of the '374 patent through use of ZOLL's defibrillators, and that ZOLL **knowingly induced** such infringement?

U.S. Patent No. 5,879,374												
	AED Plus		AED Pro		R Series		E Series		M Series		X Series	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Claim 42		✓		✓		✓						
Claim 43		✓		✓		✓						✓
Claim 66		✓		✓				✓		✓		
Claim 67		✓		✓		✓						
Claim 68		✓		✓		✓						
Claim 73		✓		✓								

C. Philips's '454 Waveform Patent

1) Has Philips proven by a preponderance of the evidence that ZOLL's defibrillators **directly infringe** the following claim of the '454 patent?

U.S. Patent No. 5,607,454												
	AED Plus		AED Pro		R Series		E Series		M Series		X Series	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Claim 51	✓		✓		✓		✓		✓		✓	

2) Has Philips proven by a preponderance of the evidence that others directly infringed the following claim of the '454 patent through use of ZOLL's defibrillators, and that ZOLL **knowingly contributed to** such infringement?

U.S. Patent No. 5,607,454												
	AED Plus		AED Pro		R Series		E Series		M Series		X Series	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Claim 51		✓		✓		✓		✓		✓		✓

3) Has Philips proven by a preponderance of the evidence that others directly infringed the following claim of the '454 patent through use of ZOLL's defibrillators, and that ZOLL **knowingly induced** such infringement?

U.S. Patent No. 5,607,454												
	AED Plus		AED Pro		R Series		E Series		M Series		X Series	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Claim 51		✓		✓		✓		✓		✓		✓

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