

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

VIRNETX, INC.

Plaintiff

vs.

MICROSOFT CORPORATION

Defendant

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CASE NO. 6:07 CV 80
PATENT CASE

VERDICT FORM

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

1. Did VirnetX prove by a preponderance of the evidence that Microsoft infringes Claims 1, 10, or 12 of the '135 Patent or Claims 1, 4, 15, 17, 20, 31, 33, or 35 of the '180 Patent?

Answer "Yes" or "No" for each Claim in Column 1.

2. Of the claims you have found infringe, if any, did VirnetX prove by clear and convincing evidence that Microsoft's infringement was willful?

Answer "Yes" or "No" for each Claim you have found infringes, if any, in Column 2.

3. Did Microsoft prove by clear and convincing evidence that any of the listed claims of the following patents are invalid?

If you find the claim invalid answer "Yes," otherwise answer "No" in Column 3.

	Column 1 Infringement?	Column 2 Willfulness?	Column 3 Invalidity?
<u>'135 Patent</u>			
Claim 1	<u>Yes</u>	<u>yes</u>	<u>NO</u>
Claim 10	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 12	<u>yes</u>	<u>yes</u>	<u>NO</u>
<u>'180 Patent</u>			
Claim 1	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 4	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 15	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 17	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 20	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 31	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 33	<u>yes</u>	<u>yes</u>	<u>NO</u>
Claim 35	<u>yes</u>	<u>yes</u>	<u>NO</u>

If you have found any claim infringed and valid, answer question 4; otherwise, do not answer question 4.

4. 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 Microsoft's infringement of the following patents?

'135 Patent

Answer with the amount: \$ 71,750. M

'180 Patent

Answer with the amount: \$ 34 M

Signed this 16 day of March, 2010



JURY FOREPERSON