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

VIRNETX INC.,

Plaintiff,

vs.

CASE NO. 6:10-CV-417

APPLE INC.,

Defendant.

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Plaintiff,

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CASE NO. 6:10-CV-417

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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		'151 Patent	
Claim 1 Claim 3 Claim 7 Claim 8	Yes Yes Yes	Claim 1 'Claim 13'	yes yes
'504 Patent		'211 Patent	
Claim 1. Claim 2 Claim 5 Claim 16 Claim 21 Claim 27	yes yes yes yes	Claim 36 Claim 37 Claim 47 Claim 51	(165 (yes yes.

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	٠,	Claim 1 Claim 13	NO
'504 Patent	*		'211 Patent	
Claim 1 Claim 2 Claim 5 Claim 16 Claim 21 Claim 27	NO NO NO		Claim 36 Claim 37 Claim 47 Claim 51	NO NO NO

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

