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

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| **VIRNETX INC.,** | § | |
| | § | |
| **Plaintiff,** | § | |
| | § | |
| **vs.** | § | **CASE NO. 6:10-CV-417** |
| | § | |
| **CISCO SYSTEMS, INC. et al.,** | § | |
| | § | |
| **Defendants.** | § | |
| | § | |

**FINAL JUDGMENT PURSUANT TO FED. R. CIV. P. 54(b)**

On August 11, 2010, VirnetX, Inc. ("VirnetX") filed this action against Apple, Inc. ("Apple") and several other parties alleging patent infringement. On the eve of trial, only two parties remained: Apple and Cisco Systems, Inc. By agreement, the Court granted Defendants' Motion for Separate Trials, setting only Apple for trial starting October 31, 2012 (Docket No. 542). Since all issues, between VirnetX and Apple, except future ongoing royalties, if any, have been finally resolved either by the jury or the Court's Memorandum Opinion and Order (Docket No. 732), there is no reason to delay entering judgment as to Apple.

Therefore, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, consistent with the Court's Memorandum Opinion and Order, and the Court having expressly determined that there is no just cause for delay, the Court **ORDERS AND ENTERS FINAL JUDGMENT AS TO APPLE,** as follows:

- Defendant Apple is found to infringe claims 1, 3, 7, 8 of U.S. Patent No. 6,502,135; claims 1 and 13 of U.S. Patent No 7,490,151; claims 1, 2, 5, 16, 21,

and 27 of U.S. Patent No 7,418,504; and claims 36, 37, 47 and 51 of U.S. Patent No. 7,921,211 (collectively, "the Asserted Claims").

- The Asserted Claims are valid.
- The Court awards damages to VirnetX for Apple's infringement of the Asserted Claims in the amount of $368,160,000.
- VirnetX is further awarded pre-judgment interest, post-judgment interest, and post-verdict damages as detailed in the Court's Memorandum Opinion and Order.

All relief not specifically granted herein is **DENIED**, subject to **SEVERANCE** of VirnetX's request for an ongoing royalty as ordered in the Court's Memorandum Opinion and Order.

All pending motions between VirnetX and Apple not previously resolved, specifically: VirnetX's Opposed Motion *In Limine* (Docket No. 538); Apple's Opposed Motion *In Limine* (Docket No. 539); Apple's Motion to Dismiss for Lack of Jurisdiction (Docket No. 589); Apple's Judgment as a Matter of Law (Docket No. 593); VirnetX's Judgment as a Matter of Law (Docket No. 594); and VirnetX's Motion for Entry of Judgment (Docket No. 622) are **DENIED.**

**So ORDERED and SIGNED this 27th day of February, 2013.**

**LEONARD DAVIS**
**UNITED STATES DISTRICT JUDGE**