

# Exhibit A

## Verdict Form

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

MAXELL, LTD.,

*Plaintiff,*

v.

APPLE INC.,

*Defendant.*

Case No. 5:19-cv-00036-RWS

**JURY TRIAL DEMANDED**

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**AMENDED VERDICT FORM**

In answering these questions, you are to follow all of the instructions I have given in the Final Jury Instructions. Your answers to each question must be unanimous. In this verdict form, “Maxell” refers to Maxell, Ltd. and “Apple” refers to Apple Inc. As used below:

- the ’317 patent refers to U.S. Patent No. 6,748,317;
- the ’999 patent refers to U.S. Patent No. 6,580,999;
- the ’498 patent refers to U.S. Patent No. 6,430,498;
- the ’493 patent refers to U.S. Patent No. 8,339,493;
- the ’438 patent refers to U.S. Patent No. 7,116,438; and
- the ’794 patent refers to U.S. Patent No. 6,329,794.

**1A. Did Maxell prove by a preponderance of the evidence that Apple infringes the following claims of the following patents?**

**Answer “Yes” or “No” as to each claim.**

**’317 Patent:** Answer “Yes” or “No”.

Claim 1: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is:  Literal, or  under the Doctrine of Equivalents.]

Claim 17: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is:  Literal, or  under the Doctrine of Equivalents.]

**'999 Patent:** Answer "Yes" or "No".

Claim 3: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is:  Literal, or  under the Doctrine of Equivalents.]

**'498 Patent:** Answer "Yes" or "No".

Claim 3: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is:  Literal, or  under the Doctrine of Equivalents.]

**'493 Patent:** Answer "Yes" or "No".

Claim 5: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is:  Literal.]

Claim 6: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is:  Literal, or  under the Doctrine of Equivalents.]

**'438 Patent:** Answer "Yes" or "No".

Claim 1: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is: [ ] Literal]

Claim 4: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is: [ ] Literal]

**'794 Patent:** Answer "Yes" or "No".

Claim 1: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is: [ ] Literal]

Claim 14: \_\_\_\_\_

[Apple proposal (Maxell opposes): If Yes, infringement is: [ ] Literal]

If you answered "Yes" for a claim in Section 1A, then continue to Section 1B and answer "Yes" or "No" for the same claims for which you found infringement. If you answered "No" for a claim in Section 1A, then do not answer the questions in Section 1B for those claims for which you did not find infringement. <sup>1</sup>

**1B. Did Maxell prove by a preponderance of the evidence that Apple's infringement, if any, was willful?**

Answer "Yes" or "No" as to each claim.

**'317 Patent:** Answer "Yes" or "No".

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<sup>1</sup> Apple objects to the inclusion of any question regarding willfulness in the verdict form.

Claim 1: \_\_\_\_\_

Claim 17: \_\_\_\_\_

**'999 Patent:** Answer "Yes" or "No".

Claim 3: \_\_\_\_\_

**'498 Patent:** Answer "Yes" or "No".

Claim 3: \_\_\_\_\_

**'493 Patent:** Answer "Yes" or "No".

Claim 5: \_\_\_\_\_

Claim 6: \_\_\_\_\_

**'438 Patent:** Answer "Yes" or "No".

Claim 1: \_\_\_\_\_

Claim 4: \_\_\_\_\_

**'794 Patent:** Answer "Yes" or "No".

Claim 1: \_\_\_\_\_

Claim 14: \_\_\_\_\_

**[Apple proposal (Maxell opposes): If you answered "Yes" to any claim in Section 1A, then continue to Section 2 and answer "Yes" or "No" for the claims you found were infringed.]**

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