

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
a Korean corporation;  
SAMSUNG ELECTRONICS AMERICA, INC.,  
a New York corporation;  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC,  
a Delaware limited liability company,

Defendants.

Case No.: 11-CV-01846-LHK

**AMENDED**  
VERDICT FORM

SAMSUNG ELECTRONICS CO., LTD.,  
a Korean corporation;  
SAMSUNG ELECTRONICS AMERICA, INC.,  
a New York corporation;  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC,  
a Delaware limited liability company,

Counterclaim-Plaintiffs,

v.

APPLE INC., a California corporation,

Counterclaim-Defendant.

We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this Court as our verdict in this case.

FINDINGS ON APPLE'S CLAIMS

**APPLE'S UTILITY AND DESIGN PATENT CLAIMS AGAINST SAMSUNG**

1. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC), Samsung Electronics America (SEA), and/or Samsung Telecommunications America (STA) has infringed Claim 19 of the '381 Patent?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Captivate (JX 1011)	Y		Y
Continuum (JX 1016)	Y		Y
Droid Charge (JX 1025)	Y		Y
Epic 4G (JX 1012)	Y		Y
Exhibit 4G (JX 1028)	Y		Y
Fascinate (JX 1013)	Y		Y
Galaxy Ace (JX 1030)	Y		
Galaxy Prevail (JX 1022)	Y		Y
Galaxy S (i9000) (JX 1007)	Y		
Galaxy S 4G (JX 1019)	Y		Y
Galaxy S II (AT&T) (JX 1031)	Y		Y
Galaxy S II (i9100) (JX 1032)	Y		
Galaxy Tab (JX 1036)	Y		Y
Galaxy Tab 10.1 (WiFi) (JX 1037)	Y	Y	
Gem (JX 1020)	Y		Y
Indulge (JX 1026)	Y		Y
Infuse 4G (JX 1027)	Y		Y
Mesmerize (JX 1015)	Y		Y
Nexus S 4G (JX 1023)	Y		Y
Replenish (JX 1024)	Y		Y
Vibrant (JX 1010)	Y		Y

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- 1 2. For each of the following products, has Apple proven by a preponderance of the evidence  
2 that Samsung Electronics Co. (SEC), Samsung Electronics America (SEA), and/or  
3 Samsung Telecommunications America (STA) has infringed Claim 8 of the '915 Patent?

4 (Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Captivate (JX 1011)	Y		Y
Continuum (JX 1016)	Y		Y
Droid Charge (JX 1025)	Y		Y
Epic 4G (JX 1012)	Y		Y
Exhibit 4G (JX 1028)	Y		Y
Fascinate (JX 1013)	Y		Y
Galaxy Ace (JX 1030)	N		
Galaxy Prevail (JX 1022)	Y		Y
Galaxy S (i9000) (JX 1007)	Y		
Galaxy S 4G (JX 1019)	Y		Y
Galaxy S II (AT&T) (JX 1031)	Y		Y
Galaxy S II (i9100) (JX 1032)	Y		
Galaxy S II (T-Mobile) (JX 1033)	Y		Y
Galaxy Tab (JX 1036)	Y		Y
Galaxy Tab 10.1 (WiFi) (JX 1037)	Y	Y	
Gem (JX 1020)	Y		Y
Indulge (JX 1026)	Y		Y
Infuse 4G (JX 1027)	Y		Y
Intercept (JX 1009)	N		N
Mesmerize (JX 1015)	Y		Y
Nexus S 4G (JX 1023)	Y		Y
Replenish (JX 1024)	N		N
Transform (JX 1014)	Y		Y
Vibrant (JX 1010)	Y		Y

United States District Court  
For the Northern District of California

- 1 3. For each of the following products, has Apple proven by a preponderance of the evidence  
 2 that Samsung Electronics Co. (SEC), Samsung Electronics America (SEA), and/or  
 3 Samsung Telecommunications America (STA) has infringed Claim 50 of the '163  
 4 Patent?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Captivate (JX 1011)	N		N
Continuum (JX 1016)	N		N
Droid Charge (JX 1025)	Y		Y
Epic 4G (JX 1012)	Y		Y
Exhibit 4G (JX 1028)	Y		Y
Fascinate (JX 1013)	Y		Y
Galaxy Ace (JX 1030)	Y		
Galaxy Prevail (JX 1022)	Y		Y
Galaxy S (i9000) (JX 1007)	Y		
Galaxy S 4G (JX 1019)	Y		Y
Galaxy S II (AT&T) (JX 1031)	Y		Y
Galaxy S II (i9100) (JX 1032)	Y		
Galaxy S II (T-Mobile) (JX 1033)	Y		Y
Galaxy Tab (JX 1036)	Y		Y
Galaxy Tab 10.1 (WiFi) (JX 1037)	Y	Y	
Gem (JX 1020)	N		N
Indulge (JX 1026)	N		N
Infuse 4G (JX 1027)	Y		Y
Intercept (JX 1009)	N		N
Mesmerize (JX 1015)	Y		Y
Nexus S 4G (JX 1023)	N		N
Replenish (JX 1024)	Y		Y
Transform (JX 1014)	N		N
Vibrant (JX 1010)	N		N

United States District Court  
 For the Northern District of California

4. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) took action that it knew or should have known would induce STA or SEA to infringe the '381, '915, or '163 Patents?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	'381 Patent (Claim 19)	'915 Patent (Claim 8)	'163 Patent (Claim 50)
Captivate (JX 1011)	Y	Y	N
Continuum (JX 1016)	Y	Y	N
Droid Charge (JX 1025)	Y	Y	Y
Epic 4G (JX 1012)	Y	Y	Y
Exhibit 4G (JX 1028)	Y	Y	Y
Fascinate (JX 1013)	Y	Y	Y
Galaxy Prevail (JX 1022)	Y	Y	Y
Galaxy S 4G (JX 1019)	Y	Y	Y
Galaxy S II (AT&T) (JX 1031)	Y	Y	Y
Galaxy S II (T-Mobile) (JX 1033)		Y	Y
Galaxy Tab (JX 1036)	Y	Y	Y
Galaxy Tab 10.1 (WiFi) (JX 1037)	Y	Y	Y
Gem (JX 1020)	Y	Y	N
Indulge (JX 1026)	Y	Y	N
Infuse 4G (JX 1027)	Y	Y	Y
Intercept (JX 1009)		<del>Y</del>	N
Mesmerize (JX 1015)	Y	Y	Y
Nexus S 4G (JX 1023)	Y	Y	N
Replenish (JX 1024)	Y	N	Y
Transform (JX 1014)		Y	N
Vibrant (JX 1010)	Y	Y	N

*[Handwritten signature]*  
8/24/12

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- 1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15
5. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) and/or Samsung Telecommunications America (STA) has infringed the D'677 Patent?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Telecommunications America, LLC
Fascinate (JX 1013)	Y	Y
Galaxy Ace (JX 1030)	N	
Galaxy S (i9000) (JX 1007)	Y	
Galaxy S 4G (JX 1019)	Y	Y
Galaxy S II (AT&T) (JX 1031)	Y	Y
Galaxy S II (i9100) (JX 1032)	Y	
Galaxy S II (T-Mobile) (JX 1033)	Y	Y
Galaxy S II (Epic 4G Touch) (JX 1034)	Y	Y
Galaxy S II (Skyrocket) (JX 1035)	Y	Y
Galaxy S Showcase (i500) (JX 1017)	Y	Y
Infuse 4G (JX 1027)	Y	Y
Mesmerize (JX 1015)	Y	Y
Vibrant (JX 1010)	Y	Y

- 16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28
6. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) and/or Samsung Telecommunications America (STA) has infringed the D'087 Patent?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Telecommunications America, LLC
Galaxy S (i9000) (JX 1007)	Y	
Galaxy S 4G (JX 1019)	Y	Y
Galaxy S II (AT&T) (JX 1031)	N	N
Galaxy S II (i9100) (JX 1032)	N	
Galaxy S II (Epic 4G Touch) (JX 1034)	N	N
Galaxy S II (Skyrocket) (JX 1035)	N	N
Infuse 4G (JX 1027)	N	N
Vibrant (JX 1010)	Y	Y

- 1  
2  
3  
4
7. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) and/or Samsung Telecommunications America (STA) has infringed the D'305 Patent?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

5  
6  
7  
8  
9  
10  
11  
12  
13  
14

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Telecommunications America, LLC
Captivate (JX 1011)	Y	Y
Continuum (JX 1016)	Y	Y
Droid Charge (JX 1025)	Y	Y
Epic 4G (JX 1012)	Y	Y
Fascinate (JX 1013)	Y	Y
Galaxy S (i9000) (JX 1007)	Y	
Galaxy S 4G (JX 1019)	Y	Y
Galaxy S Showcase (i500) (JX 1017)	Y	Y
Gem (JX 1020)	Y	Y
Indulge (JX 1026)	Y	Y
Infuse 4G (JX 1027)	Y	Y
Mesmerize (JX 1015)	Y	Y
Vibrant (JX 1010)	Y	Y

- 15  
16  
17
8. For each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC), Samsung Electronics America (SEA), and/or Samsung Telecommunications America (STA) has infringed the D'889 Patent?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

18  
19  
20  
21  
22  
23

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Galaxy Tab 10.1 (WiFi) (JX 1037)	N	N	
Galaxy Tab 10.1 (4G LTE) (JX 1038)	N		N

If you did not answer "Yes" to any of Questions 1 through 8, please skip to Question 11, and do not answer Questions 9 and 10.

9. If you found that Samsung Electronics America (SEA) or Samsung Telecommunications America (STA) infringed in any of Questions 1 through 8, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) took action that it knew or should have known would induce SEA or STA to infringe the D'677, D'087, D'305, and/or D'889 Patents?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung). Do not provide an answer for any cell that is blacked out.)

Accused Samsung Product	D'677 Patent	D'087 Patent	D'305 Patent	D'889 Patent
Captivate (JX 1011)			Y	
Continuum (JX 1016)			Y	
Droid Charge (JX 1025)			Y	
Epic 4G (JX 1012)			Y	
Fascinate (JX 1013)	Y		Y	
Galaxy S 4G (JX 1019)	Y	Y	Y	
Galaxy S II (AT&T) (JX 1031)	Y	N		
Galaxy S II (T-Mobile) (JX 1033)	Y			
Galaxy S II (Epic 4G Touch) (JX 1034)	Y	N		
Galaxy S II (Skyrocket) (JX 1035)	Y	N		
Galaxy S Showcase (i500) (JX 1017)	Y		Y	
Galaxy Tab 10.1 (WiFi) (JX 1037)				N
Galaxy Tab 10.1 (4G LTE) (JX 1038)				N
Gem (JX 1020)			Y	
Indulge (JX 1026)			Y	
Infuse 4G (JX 1027)	Y	N	Y	
Mesmerize (JX 1015)	Y		Y	
Vibrant (JX 1010)	Y	Y	Y	

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



10. If you answered "Yes" to any of Questions 1 through 9, and thus found that any Samsung entity has infringed any Apple patent(s), has Apple proven by clear and convincing evidence that the Samsung entity's infringement was willful?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Apple Utility and Design Patents	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
'381 Patent (Claim 19)	Y	Y	Y
'915 Patent (Claim 8)	Y	Y	Y
'163 Patent (Claim 50)	Y	Y	Y
D'677 Patent	Y		Y
D'087 Patent	N		N
D'305 Patent	Y		Y
D'889 Patent	N	N	N

11. Has Samsung proven by clear and convincing evidence that Apple's asserted utility and/or design patent claims are invalid?

- '381 Patent (Claim 19) Yes \_\_\_\_\_ (for Samsung) No  (for Apple)
- '915 Patent (Claim 8) Yes \_\_\_\_\_ (for Samsung) No  (for Apple)
- '163 Patent (Claim 50) Yes \_\_\_\_\_ (for Samsung) No  (for Apple)
- D'677 Patent Yes \_\_\_\_\_ (for Samsung) No  (for Apple)
- D'087 Patent Yes \_\_\_\_\_ (for Samsung) No  (for Apple)
- D'305 Patent Yes \_\_\_\_\_ (for Samsung) No  (for Apple)
- D'889 Patent Yes \_\_\_\_\_ (for Samsung) No  (for Apple)

United States District Court  
For the Northern District of California

**APPLE'S TRADE DRESS CLAIMS AGAINST SAMSUNG**

**Protectability**

12. Has Samsung proven by a preponderance of the evidence that Apple's registered iPhone trade dress '983 is not protectable?

Yes (not protectable – for Samsung) \_\_\_\_\_ No (protectable – for Apple) ✓

13. Has Apple proven by a preponderance of the evidence that Apple's unregistered trade dresses are protectable?

(Please answer with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Apple Trade Dresses	Protectable
Unregistered iPhone 3G Trade Dress	Y
Unregistered Combination iPhone Trade Dress	N
Unregistered iPad/iPad 2 Trade Dress	N

**Trade Dress Dilution**

14. Has Apple proven by a preponderance of the evidence that Apple's trade dresses are famous?

(Please answer with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Apple Trade Dresses	Famous
Registered iPhone Trade Dress	Y
Unregistered iPhone 3G Trade Dress	Y
Unregistered Combination iPhone Trade Dress	N
Unregistered iPad/iPad 2 Trade Dress	N

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

If you did not find the registered iPhone trade dress protectable and famous, please skip to Question 16, and do not answer Question 15.

15. If you found the registered iPhone trade dress protectable and famous, for each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) and/or Samsung Telecommunications America (STA) has diluted the registered iPhone trade dress?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Telecommunications America, LLC
Captivate (JX 1011)	N	N
Continuum (JX 1016)	N	N
Droid Charge (JX 1025)	N	N
Epic 4G (JX 1012)	N	N
Fascinate (JX 1013)	Y	Y
Galaxy Prevail (JX 1022)	N	N
Galaxy S (i9000) (JX 1007)	Y	
Galaxy S 4G (JX 1019)	Y	Y
Galaxy S II (AT&T) (JX 1031)	N	<del>N</del>
Galaxy S II (i9100) (JX 1032)	N	
Galaxy S II (T-Mobile) (JX 1033)	N	N
Galaxy S II (Epic 4G Touch) (JX 1034)	N	N
Galaxy S II (Skyrocket) (JX 1035)	N	N
Galaxy S II Showcase (i500) (JX 1017)	Y	Y
Infuse 4G (JX 1027)	N	N
Mesmerize (JX 1015)	Y	Y
Vibrant (JX 1010)	Y	Y

United States District Court  
For the Northern District of California

If you did not find the unregistered iPhone 3G trade dress protectable and famous, please skip to Question 17, and do not answer Question 16.

16. If you found the unregistered iPhone 3G trade dress protectable and famous, for each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) and/or Samsung Telecommunications America (STA) has diluted the unregistered iPhone 3G trade dress?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Telecommunications America, LLC
Captivate (JX 1011)	N	N
Continuum (JX 1016)	N	N
Droid Charge (JX 1025)	N	N
Epic 4G (JX 1012)	N	N
Fascinate (JX 1013)	Y	Y
Galaxy Prevail (JX 1022)	N	N
Galaxy S (i9000) (JX 1007)	Y	
Galaxy S 4G (JX 1019)	Y	Y
Galaxy S II (AT&T) (JX 1031)	N	N
Galaxy S II (i9100) (JX 1032)	N	
Galaxy S II (T-Mobile) (JX 1033)	N	N
Galaxy S II (Epic 4G Touch) (JX 1034)	N	N
Galaxy S II (Skyrocket) (JX 1035)	N	N
Galaxy S II Showcase (i500) (JX 1017)	Y	Y
Infuse 4G (JX 1027)	N	N
Mesmerize (JX 1015)	Y	Y
Vibrant (JX 1010)	Y	Y

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*If you did not find the unregistered Combination iPhone trade dress protectable and famous, please skip to Question 18, and do not answer Question 17.*

17. If you found the unregistered Combination iPhone trade dress protectable and famous, for each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC) and/or Samsung Telecommunications America (STA) has diluted the unregistered Combination iPhone trade dress?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Telecommunications America, LLC
Captivate (JX 1011)		
Continuum (JX 1016)		
Droid Charge (JX 1025)		
Epic 4G (JX 1012)		
Fascinate (JX 1013)		
Galaxy Ace (JX 1030)		
Galaxy Prevail (JX 1022)		
Galaxy S (i9000) (JX 1007)		
Galaxy S 4G (JX 1019)		
Galaxy S II (AT&T) (JX 1031)		
Galaxy S II (i9100) (JX 1032)		
Galaxy S II (T-Mobile) (JX 1033)		
Galaxy S II (Epic 4G Touch) (JX 1034)		
Galaxy S II (Skyrocket) (JX 1035)		
Galaxy S II Showcase (i500) (JX 1017)		
Infuse 4G (JX 1027)		
Mesmerize (JX 1015)		
Vibrant (JX 1010)		

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

United States District Court  
For the Northern District of California

If you did not find the unregistered iPad/iPad 2 trade dress protectable and famous, please skip to Question 19, and do not answer Question 18.

18. If you found the unregistered iPad/iPad 2 trade dress protectable and famous, for each of the following products, has Apple proven by a preponderance of the evidence that Samsung Electronics Co. (SEC), Samsung Electronics America (SEA), and/or Samsung Telecommunications America (STA) has diluted the unregistered iPad/iPad 2 trade dress?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Accused Samsung Product	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Galaxy Tab 10.1 (WiFi) (JX 1037)			
Galaxy Tab 10.1 (4G LTE) (JX 1038)			

If you did not answer "Yes" to any of Questions 15 through 18, please skip to Question 20, and do not answer Question 19.

19. If you answered "Yes" to any of Questions 15 through 18, and thus found that any Samsung entity has diluted any Apple trade dress(es), has Apple proven by a preponderance of the evidence that the Samsung entity's dilution was willful?

(Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for Samsung).)

Asserted Trade Dress	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
Registered iPhone Trade Dress	Y		Y
Unregistered iPhone 3 Trade Dress	Y		Y
Unregistered Combination iPhone Trade Dress	N		N
Unregistered iPad/iPad 2 Trade Dress	N	N	N

**Trade Dress Infringement**

If you did not find the unregistered iPad/iPad 2 trade dress protectable, please skip to Question 22, and do not answer Questions 20 and 21.

20. If you found the unregistered iPad/iPad 2 trade dress protectable, for each of the following products, has Apple proven by a preponderance of the evidence that Samsung

1 **Electronics Co. (SEC), Samsung Electronics America (SEA), and/or Samsung**  
 2 **Telecommunications America (STA) has infringed the unregistered iPad/iPad 2 trade**  
 3 **dress?**

4 (Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for  
 5 Samsung).)

6 Asserted Trade Dress	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
7 Galaxy Tab 10.1 (WiFi) (JX 1037)			
8 Galaxy Tab 10.1 (4G LTE) (JX 1038)			

9 *If you did not answer "Yes" to any of Question 20, please skip to Question 22, and do not answer*  
 10 *Question 21.*

11 **21. If you answered "Yes" to any of Question 20, and thus found that any Samsung entity**  
 12 **has infringed Apple's unregistered iPad/iPad 2 trade dress, has Apple proven by a**  
 13 **preponderance of the evidence that the Samsung entity's infringement was willful?**

14 (Please answer in each cell with a "Y" for "yes" (for Apple), or with an "N" for "no" (for  
 15 Samsung).)

16 Asserted Trade Dress	Samsung Electronics Co., Ltd.	Samsung Electronics America, Inc.	Samsung Telecommunications America, LLC
17 Unregistered iPad/iPad 2 Trade Dress			

18 **DAMAGES TO APPLE FROM SAMSUNG (IF APPLICABLE)**

19 **22. What is the total dollar amount that Apple is entitled to receive from Samsung on the**  
 20 **claims on which you have ruled in favor of Apple?**

21 \$ ~~1,051,855,000.00~~  
 22 \$ 1,049,393,293.00  
 23 540  
 24  
 25  
 26  
 27  
 28

ATC 8/24/12

United States District Court  
For the Northern District of California

23. For the total dollar amount in your answer to Question 22, please provide the dollar breakdown by product.

Accused Samsung Product	Amount
Captive (JX 1011)	80,840,162
Continuum (JX 1016)	16,399,117
Droid Charge (JX 1025)	50,672,869
Epic 4G (JX 1012)	130,180,894
Exhibit 4G (JX 1028)	1,081,820
Fascinate (JX 1013)	143,539,179
Galaxy Ace (JX 1030)	0
Galaxy Prevail (JX 1022)	57,867,383
Galaxy S (i9000) (JX 1007)	0
Galaxy S 4G (JX 1019)	73,344,668
Galaxy S II (AT&T) (JX 1031)	40,494,356
Galaxy S II (i9100) (JX 1032)	0
Galaxy S II (T-Mobile) (JX 1033)	83,791,708
Galaxy S II (Epic 4G Touch) (JX 1034)	150,326,988
Galaxy S II (Skyrocket) (JX 1035)	32,273,558
Galaxy S Showcase (i500) (JX 1017)	22,502,146
Galaxy Tab (JX 1036)	1,966,691
Galaxy Tab 10.1 (WiFi) (JX 1037)	833,076
Galaxy Tab 10.1 (4G LTE) (JX 1038)	0
Gem (JX 1020)	4,075,585
Indulge (JX 1026)	16,011,184
Infuse 4G (JX 1027)	44,792,974
Intercept (JX 1009)	0
Mesmerize (JX 1015)	53,123,612
Nexus S 4G (JX 1023)	1,828,297
Replenish (JX 1024)	3,350,256
Transform (JX 1014)	953,060
Vibrant (JX 1010)	89,673,957

*Handwritten notes:*  
 3/24/12  
 3/24/12

United States District Court  
 For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28





United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

25. If in response to Question 24 you found that Apple has infringed any Samsung patent(s), has Samsung proven by clear and convincing evidence that Apple's infringement was willful?

'516 Patent

Claim 15: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)  
Claim 16: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)

'941 Patent

Claim 10: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)  
Claim 15: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)

'711 Patent

Claim 9: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)

'893 Patent

Claim 10: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)

'460 Patent

Claim 1: Yes \_\_\_\_\_ (for Samsung) No \_\_\_\_\_ (for Apple)

26. Has Apple proven by clear and convincing evidence that Samsung's asserted utility patent claims are invalid?

'516 Patent

Claim 15: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)  
Claim 16: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)

'941 Patent

Claim 10: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)  
Claim 15: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)

'711 Patent

Claim 9: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)

'893 Patent

Claim 10: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)

'460 Patent

Claim 1: Yes \_\_\_\_\_ (for Apple) No ✓ (for Samsung)

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DAMAGES TO SAMSUNG FROM APPLE (IF APPLICABLE)**

27. What is the total dollar amount that Samsung is entitled to receive from Apple for Samsung's utility patent infringement claims on the '516 and '941 patents?

\$ 0

28. What is the total dollar amount that Samsung is entitled to receive from Apple for Samsung's utility patent infringement claims on the '711, '893, and '460 patents?

\$ 0

29. For the total dollar amounts in your answers to Questions 27 and 28, please provide the breakdown by product.

Accused Samsung Product	Amount
iPhone 3G (JX 1053)	
iPhone 3GS (JX 1054 and JX 1076)	
iPhone 4 (JX1055 and JX 1056)	
iPad 2 3G (JX 1050 and JX 1051)	
iPod Touch 4 <sup>th</sup> Gen. (JX 1057 and JX 1077)	

**BREACH OF CONTRACT CLAIMS AND ANTITRUST**

30. Has Apple proven by a preponderance of the evidence that Samsung breached its contractual obligations by failing to timely disclose its intellectual property rights ("IPR") during the creation of the UMTS standard or by failing to license its "declared essential" patents on fair, reasonable, and non-discriminatory ("FRAND") terms?

Yes \_\_\_\_\_ (for Apple)      No  (for Samsung)

31. Has Apple proven by a preponderance of the evidence that Samsung has violated Section 2 of the Sherman Antitrust Act by monopolizing one or more technology markets related to the UMTS standard?

Yes \_\_\_\_\_ (for Apple)      No  (for Samsung)

32. If you answered "Yes" to Question 30 or Question 31, what is the dollar amount that Apple is entitled to receive from Samsung for Samsung's antitrust violation and/or breach of contract?

\$ 0

**PATENT EXHAUSTION**

33. Has Apple proven by a preponderance of the evidence that Samsung is barred by patent exhaustion from enforcing the following Samsung patents against Apple?

'516 Patent Yes  (for Apple) No  (for Samsung)

'941 Patent Yes  (for Apple) No  (for Samsung)

Have the presiding juror sign and date this form.

Signed: *Velvin R. Hagan* Date: 8/24/12  
PRESIDING JUROR

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28