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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

BLUE COAT SYSTEMS, INC., a Delaware
Corporation,

Defendant.

Case No.: 13-CV-03999-BLF

VERDICT FORM

VERDICT FORM

1
2 When answering the following questions and filling out this Verdict Form, please follow the
3 directions provided throughout this Verdict Form. Your answer to each question must be unanimous.
4 Some of the questions contain legal terms that are defined and explained in detail in the Jury
5 Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any
6 legal term that appears in the questions below.
7

8 We, the jury, unanimously agree to the answers to the following questions and return them
9 under the instructions of this court as our verdict in this case.
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1 **QUESTION 1:** Did Finjan prove by a preponderance of the evidence that Blue Coat's product or
 2 combination of products as identified below literally infringes any of the following claims of the
 3 Asserted Patents? Answer "Yes" or "No" for each claim.

4 5 6 7 8 9 10 11 12	'844 Patent WebPulse	Claim 1 <u>Yes</u>	Claim 15 <u>Yes</u>
		Claim 7 <u>Yes</u>	Claim 41 <u>Yes</u>
		Claim 11 <u>Yes</u>	
	'822 Patent ProxySG	Claim 9 <u>NO</u>	Claim 10 <u>NO</u>
	'633 Patent ProxySG + CAS + MAA	Claim 14 <u>NO</u>	
	'731 Patent ProxySG + WebPulse	Claim 1 <u>Yes</u>	Claim 17 <u>Yes</u>
	'968 Patent ProxySG + WebPulse	Claim 1 <u>Yes</u>	
	'780 Patent ProxySG + ProxyAV	Claim 9 <u>Yes</u>	Claim 13 <u>Yes</u>

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26 For each claim you did not find to be literally infringed, answer Question 2.
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1 **QUESTION 2:** Did Finjan prove by a preponderance of the evidence that Blue Coat's product or
 2 combination of products as identified below infringe under the doctrine of equivalents? **Answer**
 3 **"Yes" or "No" for each claim.**

<p>4 '844 Patent <p>5 WebPulse</p> </p>	<p>6 Claim 1 <u>Yes</u> Claim 7 <u>Yes</u> <p>7 Claim 11 <u>Yes</u></p> </p>
<p>8 '822 Patent <p>9 ProxySG</p> </p>	<p>10 Claim 9 <u>No</u> Claim 10 <u>No</u></p>
<p>11 '633 Patent <p>12 ProxySG + CAS + <p>13 MAA</p> </p></p>	<p>14 Claim 14 <u>Yes</u></p>
<p>15 '968 Patent <p>16 ProxySG + WebPulse</p> </p>	<p>17 Claim 1 <u>Yes</u></p>
<p>18 '780 Patent <p>19 ProxySG + ProxyAV</p> </p>	<p>20 Claim 9 <u>Yes</u> Claim 13 <u>Yes</u></p>

1 **QUESTION 3:** What are the dates of invention for the '844 Patent and the '731 Patent?

2
3 '844 Patent: November 8, 1996

4
5 '731 Patent November 6, 1997

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7 Regardless of the dates you find, please answer Question 4 with respect to each patent.

1 **QUESTION 4:** Did Blue Coat prove by clear and convincing evidence that any of the following
 2 claims of the Asserted Patents are invalid because they are anticipated? Answer "Yes" or "No" for
 3 each claim.

<p>4</p> <p>5 '844 Patent</p> <p>6 U.S. Patent No.</p> <p>7 6,253,370 ("Abadi")</p>	<p>8 Claim 1 <u>No</u> Claim 15 <u>No</u></p> <p>9 Claim 7 <u>No</u> Claim 41 <u>No</u></p> <p>10 Claim 11 <u>No</u></p>
<p>11 '822 Patent</p> <p>12 U.S. Patent No.</p> <p>13 5,983,348 ("Ji")</p>	<p>14 Claim 9 <u>No</u> Claim 10 <u>No</u></p>
<p>15 '633 Patent</p> <p>16 U.S. Patent No.</p> <p>17 5,983,348 ("Ji")</p>	<p>18 Claim 14 <u>No</u></p>
<p>19 '731 Patent</p> <p>20 IBM WebSphere Edge</p> <p>21 Server: New Features</p> <p>22 and Function in</p> <p>23 Version 2, IBM</p> <p>24 Redbooks</p> <p>25 ("Braswell")</p>	<p>26 Claim 1 <u>No</u> Claim 17 <u>No</u></p>
<p>27 '968 Patent</p> <p>28 U.S. Patent No.</p> <p>6,722,214 ("McClain")</p>	<p>Claim 1 <u>No</u></p>
<p>'780 Patent</p> <p>U.S. Patent No.</p> <p>5,815,709 ("Waldo")</p>	<p>Claim 9 <u>No</u> Claim 13 <u>No</u></p>

1 **Answer Question 5(a)-(f) only if you have found one or more claims of the Asserted Patents to be**
2 **infringed and not invalid from Questions 1, 2 and 4.**

3
4 **QUESTION 5(a):** If you found any of the asserted claims of the '844 Patent to be infringed and not
5 invalid, what amount of damages has Finjan proven it is entitled to that would fairly and reasonably
6 compensate it for Blue Coat's infringement for the life of the patent?

7 \$ 24,000,000
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10 **QUESTION 5(b):** If you found any of the asserted claims of the '822 Patent to be infringed and not
11 invalid, what amount of damages has Finjan proven it is entitled to that would fairly and reasonably
12 compensate it for Blue Coat's infringement for the life of the patent?

13 \$ 0
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15 **QUESTION 5(c):** If you found the asserted claim of the '633 Patent to be infringed and not invalid,
16 what amount of damages has Finjan proven it is entitled to that would fairly and reasonably
17 compensate it for Blue Coat's infringement for the life of the patent?

18 \$ 1,666,700
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20 **QUESTION 5(d):** If you found any of the asserted claims of the '731 Patent to be infringed and not
21 invalid, what amount of damages has Finjan proven it is entitled to that would fairly and reasonably
22 compensate it for Blue Coat's infringement for the life of the patent?

23 \$ 6,000,000
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26 [continued to the next page]
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1 **QUESTION 5(e):** If you found the asserted claim of the '968 Patent to be infringed and not invalid,
2 what amount of damages has Finjan proven it is entitled to that would fairly and reasonably
3 compensate it for Blue Coat's infringement for the life of the patent?

4 \$ 7,750,000
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6 **QUESTION 5(f):** If you found any of the asserted claims of the '780 Patent to be infringed and not
7 invalid, what amount of damages has Finjan proven it is entitled to that would fairly and reasonably
8 compensate it for Blue Coat's infringement for the life of the patent?

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You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict form in the spaces below and notify the Security Guard that you have reached a verdict. The Presiding Juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

DATED: August 4th, 2015

By: 
Presiding Juror