

FILED

July 21, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

BY: Jennifer Clark
DEPUTY

TOUCHSTREAM TECHNOLOGIES, INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Case No. 6:21-cv-569-ADA

JURY TRIAL DEMANDED

U.S. District Judge Alan Albright

JURY VERDICT FORM


7/21/23
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JURY VERDICT FORM

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

As used herein, “Touchstream” means Touchstream Technologies Inc., and “Google” means Google LLC. As used herein:

“289 Patent” refers to U.S. Patent No. 8,904,289.

“251 Patent” refers to U.S. Patent No. 8,356,251.

“528 Patent” refers to U.S. Patent No. 8,782,528.

As used herein, the “Asserted Patents” collectively refers to the 289 Patent, 251 Patent, and 528 Patent.

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

I. INFRINGEMENT

Directions: Question No. 1

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

Question No. 1: Has Touchstream proven by a preponderance of the evidence that Google has infringed the following asserted claims of the Asserted Patents?

“Yes” is in favor of Touchstream, and “No” is in favor of Google.

289 Patent

Claim 1: Yes ☒ / No ☐

Claim 2: Yes ☒ / No ☐

251 Patent

Claim 1: Yes ☒ / No ☐

Claim 8: Yes ☒ / No ☐

528 Patent

Claim 1: Yes ☒ / No ☐

Claim 14: Yes ☒ / No ☐

Please proceed directly to **Question No. 2.**

II. INVALIDITY**Directions: Question No. 2**

In answering the Questions below, please check “Yes” or “No” for each listed asserted claim in the space provided.

Question No. 2: Has Google proven by clear and convincing evidence that the following asserted claims of the Asserted Patents are invalid as obvious based on the prior art?

“Yes” is in favor of Google, and “No” is in favor of Touchstream.

289 Patent

Claim 1: Yes _____ / No ☒

Claim 2: Yes _____ / No ☒

251 Patent

Claim 1: Yes _____ / No ☒

Claim 8: Yes _____ / No ☒

528 Patent

Claim 1: Yes _____ / No ☒

Claim 14: Yes _____ / No ☒

Please proceed to Question No. 3 only if there is at least one claim of the Asserted Patents for which you answered “Yes” in Question 1, and for the same claim you answered “No” in both Question No. 2. Otherwise, please skip Question No. 3 and go directly to the last page to sign the form.

III. DAMAGES

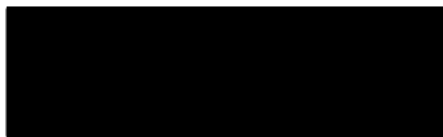
Question No. 3: What is the total amount of damages you find for Google's infringement of the Asserted Patent(s)?

\$ 338,760,000.

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your **unanimous** determinations. After you are satisfied that your unanimous answers are correctly reflected above, your Jury Foreperson should then sign and date this Verdict Form in the spaces below. Once that is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

I certify that the jury unanimously concurs in every element of the above verdict.

Signed this 21 day of July, 2023.



JURY FOREPERSON