

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

PIONEER CORPORATION,

Plaintiff,

vs.

**SAMSUNG SDI CO., LTD., SAMSUNG
ELECTRONICS CO., LTD., SAMSUNG
SDI AMERICA, INC. and SAMSUNG
ELECTRONICS AMERICA, INC.,**

Defendants.

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CIVIL ACTION NO. 2:06-CV-384 (DF)

VERDICT FORM

You, the jury, are to answer the following questions based on the evidence admitted at trial and according to the instructions the Court has given you. Start with Question No. 1 and proceed through the questions. As you proceed through this verdict form follow the directions that have been provided to you in italics.

QUESTION NO. 1A ('489 Patent Claim Coverage, Part 1)

Has Pioneer proven by a preponderance of the evidence that the Samsung PDP products incorporating the following PDP panels are literally covered by any of the following claims of the '489 Patent?

Answer "Yes" or "No" on each line.

	Claim 1	Claim 3	Claim 4	Claim 6
63 FHWF2	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
58 FHWF2	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
50 FHWF2	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
50 HDW2	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
50 HDW3	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
50 FHWF3	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
50 HDV5	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
42 HDW3	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
42 HDW2	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
42 HDW1	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
42 SDV5	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

QUESTION NO. 1B ('489 Patent Claim Coverage, Part 2)

If you answered "Yes" in Question 1A for any of the following claims as to the PDP panels below, do not answer the following question on Infringement Under the Doctrine of Equivalents for that claim.

Has Pioneer proven by a preponderance of the evidence that Samsung PDP products incorporating the following PDP panels are covered by any of the following claims of the '489 Patent under the doctrine of equivalents?

Answer "Yes" or "No."

Infringement Under Doctrine of Equivalents

	Claim 1	Claim 3	Claim 4	Claim 6
50 HDW3	_____	_____	_____	_____
50 FHWF3	_____	_____	_____	_____

QUESTION NO. 2: ('068 Patent Claim Coverage)

Has Pioneer proven by a preponderance of the evidence that Samsung PDP products incorporating the following PDP panels are literally covered by any of the following claims of the '068 Patent?

Answer "Yes" or "No" on each line.

Claim 3

63 FHWF2 yes

42 HDW2 yes

42 SDV5 yes

42 SDV4 yes

QUESTION NO. 3 (Direct, Indirect, and Willful Infringement by Samsung SDI):

Answer the next two questions only if you answered "Yes" to any part of Questions 1A, 1B, or 2 above. Answer "Yes" or "No."

3A. Has Pioneer proven by a preponderance of the evidence that Samsung SDI directly infringed by making, using, selling or offering to sell products incorporating infringing PDP panels in the United States, or importing such panels into the United States?

yes

3B. Has Pioneer proven by a preponderance of the evidence that Samsung SDI induced others to make, use, sell, or offer to sell products incorporating infringing PDP panels in the United States or import such panels into the United States.

yes

Answer the next two questions only if you answered "Yes" to either 3A or 3B above.

3C. Has Pioneer proven by clear and convincing evidence that Samsung SDI's infringement was willful as to the '489 Patent?

yes

3D. Has Pioneer proven by clear and convincing evidence that Samsung SDI's infringement was willful as to the '068 Patent?

yes

QUESTION NO. 4 (Direct, Indirect, and Willful Infringement by Samsung Electronics):

Answer the next two questions only if you answer "Yes" to any part of Questions 1A, 1B, or 2 above. Answer "Yes" or "No."

4A. Has Pioneer proven by a preponderance of the evidence that Samsung Electronics directly infringed by making, using, selling or offering to sell products incorporating infringing PDP panels in the United States, or importing such panels into the United States?

yes

4B. Has Pioneer proven by a preponderance of the evidence that Samsung Electronics induced others to make, use, sell, or offer to sell products incorporating infringing PDP panels in the United States or import such panels into the United States.

yes

Answer the next two questions only if you answered "Yes" to either 4A or 4B above.

4C. Has Pioneer proven by clear and convincing evidence that Samsung Electronic's infringement was willful as to the '489 Patent?

yes

4D. Has Pioneer proven by clear and convincing evidence that Samsung Electronic's infringement was willful as to the '068 Patent?

yes

QUESTION NO. 5 (Direct, Indirect, and Willful Infringement by Samsung Electronics America):

Answer the next two questions only if you answer "Yes" to any part of Questions 1A, 1B, or 2 above. Answer "Yes" or "No."

5A. Has Pioneer proven by a preponderance of the evidence that Samsung Electronics America directly infringed by making, using, selling or offering to sell products incorporating infringing PDP panels in the United States, or importing such panels into the United States?

yes _____

5B. Has Pioneer proven by a preponderance of the evidence that Samsung Electronics America induced or caused to make, use, sell, or offer to sell products incorporating infringing PDP panels in the United States or import such panels into the United States.

yes _____

Answer the next two questions only if you answered "Yes" to either 5A or 5B above.

5C. Has Pioneer proven by clear and convincing evidence that Samsung Electronic America's infringement was willful as to the '489 Patent?

yes _____

5D. Has Pioneer proven by clear and convincing evidence that Samsung Electronic America's infringement was willful as to the '068 Patent?

yes _____

QUESTION NO. 6 (Anticipation of the '068 Patent):

Has Samsung proven by clear and convincing evidence that claim 3 of the '068 Patent is invalid based on anticipation?

Answer "Yes" or "No."

no

QUESTION NO. 7 (Enablement of the '489 Patent):

Has Samsung proven by clear and convincing evidence that any of the following claims of the '489 Patent are invalid based on a lack of enablement?

Answer "Yes" or "No" on each line.

Claim 1 no

Claim 3 no

Claim 4 no

Claim 6 no

QUESTION NO. 8 (Damages for the '489 Patent):

Answer the next questions only if you answered "Yes" to any part of Questions 1A or 1B and "Yes" to any part of Questions 3, 4, or 5 above. Even if you answered "Yes" to Question 7 above, please determine the amount of damages that would fairly and adequately compensate Pioneer for infringement.

8A. Has Pioneer proven by a preponderance of the evidence that it is entitled to damages for Samsung's infringement of the '489 Patent based on a theory of lost profits?

yes _____

If you answered "Yes" to 8A, then answer 8B and 8C. If you answered "No" to 8A, then answer 8D.

8B. What is the total amount of lost profits is Pioneer entitled to for infringement of the '489 Patent?

\$ 6,122,047.00

8C. What additional amount is Pioneer entitled to recover as a reasonable royalty for infringement of the '489 Patent?

\$ 51,263,550.00

If you answered "No" to 8A, then answer to 8D.

8D. What total amount is Pioneer entitled to recover as a reasonable royalty for infringement of the '489 Patent?

\$ _____

QUESTION 9 (Damages for the '068 Patent)

Answer the next question only if you answered "Yes" to any part of Question 2 and "Yes" to any part of Questions 3, 4, or 5 above. Even if you answered "Yes" to Question 6 above, please determine the amount of damages that would fairly and adequately compensate Pioneer for infringement.

What amount is Pioneer entitled to recover as a reasonable royalty for infringement of the '068 Patent?

\$ 1,965,883.00