

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

VB ASSETS, LLC,

Plaintiff,

v.

AMAZON.COM SERVICES LLC,

Defendant.

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C.A. No. 19-1410 (MN)

**VERDICT FORM**

In answering the following questions, you are to follow the instructions I have given you in the Court's jury charge. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer these questions in the Verdict Form.

**QUESTION 1: INFRINGEMENT**

Has VB Assets proven, by a preponderance of the evidence, that Amazon infringed any of the following claims of the asserted patents?

|                           | <b>YES</b><br>(finding for VB Assets) | <b>NO</b><br>(finding for Amazon) |
|---------------------------|---------------------------------------|-----------------------------------|
| <b><u>'681 Patent</u></b> |                                       |                                   |
| Claim 13                  | YES ✓                                 |                                   |
| <b><u>'703 Patent</u></b> |                                       |                                   |
| Claim 25                  | YES ✓                                 |                                   |
| <b><u>'176 Patent</u></b> |                                       |                                   |
| Claim 40                  | YES ✓                                 |                                   |
| <b><u>'097 Patent</u></b> |                                       |                                   |
| Claim 23                  | YES ✓                                 |                                   |

If you answered "YES" for any claim(s) in Question 1, proceed to Question 2. If you answered "NO" for every claim in Question 1, skip to Question 3.

**QUESTION 2: WILLFULNESS**

If you found any claim of the asserted patents infringed in response to Question 1, did VB Assets prove, by a preponderance of the evidence, that Amazon's infringement was willful?

|                    | <b>YES</b><br>(finding for VB Assets) | <b>NO</b><br>(finding for Amazon) |
|--------------------|---------------------------------------|-----------------------------------|
| <u>'681 Patent</u> | Yes ✓                                 |                                   |
| <u>'703 Patent</u> | Yes ✓                                 |                                   |
| <u>'176 Patent</u> | Yes ✓                                 |                                   |
| <u>'097 Patent</u> | Yes ✓                                 |                                   |

Please proceed to the next question.

**QUESTION 3: INVALIDITY**

**A. WRITTEN DESCRIPTION**

**Did Amazon prove, by clear and convincing evidence, that the following claims of the asserted patents are invalid for lack of adequate written description?**

|                           | <b>YES</b><br>(finding for Amazon) | <b>NO</b><br>(finding for VB Assets) |
|---------------------------|------------------------------------|--------------------------------------|
| <b><u>'681 Patent</u></b> |                                    |                                      |
| Claim 13                  |                                    | NO ✓                                 |
| <b><u>'703 Patent</u></b> |                                    |                                      |
| Claim 25                  |                                    | NO ✓                                 |
| <b><u>'176 Patent</u></b> |                                    |                                      |
| Claim 40                  |                                    | NO ✓                                 |
| <b><u>'097 Patent</u></b> |                                    |                                      |
| Claim 23                  |                                    | NO ✓                                 |

**Please proceed to the next question.**

**QUESTION 3: INVALIDITY (CONTINUED)**

**B. OBVIOUSNESS**

**Did Amazon prove, by clear and convincing evidence, that the following claims of the asserted patents are invalid as obvious in light of the prior art?**

|                           | <b>YES</b><br>(finding for Amazon) | <b>NO</b><br>(finding for VB Assets) |
|---------------------------|------------------------------------|--------------------------------------|
| <b><u>'681 Patent</u></b> |                                    |                                      |
| Claim 13                  |                                    | NO ✓                                 |
| <b><u>'703 Patent</u></b> |                                    |                                      |
| Claim 25                  |                                    | NO ✓                                 |
| <b><u>'176 Patent</u></b> |                                    |                                      |
| Claim 40                  |                                    | NO ✓                                 |
| <b><u>'097 Patent</u></b> |                                    |                                      |
| Claim 23                  |                                    | NO ✓                                 |

**Please proceed to the next question.**

**QUESTION 4: PATENT INELIGIBILITY**

**Did Amazon prove by clear and convincing evidence that, from the perspective of one of ordinary skill in the art, when taken individually or as an ordered combination, the following claims of the asserted patents only involved activities that were well-understood, routine, and conventional as of the time of the invention?**

|                                       | <b>YES</b><br>(finding for Amazon) | <b>NO</b><br>(finding for VB Assets) |
|---------------------------------------|------------------------------------|--------------------------------------|
| <b><u>'703 Patent</u></b><br>Claim 25 |                                    | No ✓                                 |
| <b><u>'176 Patent</u></b><br>Claim 40 |                                    | No ✓                                 |
| <b><u>'097 Patent</u></b><br>Claim 23 |                                    | No ✓                                 |

**Please proceed to the next page.**

If (1) you answered "YES" for any claim in Question 1, AND (2) you answered "NO" for that same claim in Questions 3A, 3B AND 4, then you should answer Question 5 regarding damages. Otherwise, skip to the end of the verdict form.

**QUESTION 5: DAMAGES**

A. What sum of money do you find VB Assets has proven it is entitled to?

\$ 46.7 MILLION (46,700,000)

B. Did you calculate this number based on a running royalty or a one-time lump sum (please check only one)?

☐ Lump sum

☒ Running royalty

Please proceed to the final page of the verdict form.

**FINAL PAGE OF THE JURY VERDICT**

You have reached the end of the verdict form. Review the completed form to ensure that it accurately reflects your **unanimous** determinations. All jurors should then sign and date the verdict form in the space below and notify the Court Security Officer that you have reached a verdict.

Dated: 11/8/23

