
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

CLEARPLAY INC.,

Plaintiff,

v.

DISH NETWORK L.L.C., AND ECHOSTAR
TECHNOLOGIES L.L.C.,

Defendant.

VERDICT FORM

Case No. 2:14-cv-00191-DN-CMR

District Judge David Nuffer

MEMBERS OF THE JURY:

When filling out this Verdict Form, please follow the directions provided throughout the form. Read the questions and directions carefully. They explain the sequence in which the questions should be answered.

Your answer to each question must be unanimous.

Except where indicated, your findings are by a preponderance of the evidence.

Some of the questions contain legal terms that are defined and explained 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.

As used herein:

“ClearPlay” refers to ClearPlay Inc.

“DISH” refers to DISH Network L.L.C., and EchoStar Technologies L.L.C.

“The ’970 Patent” refers to U.S. Patent No. 7,577,970.

“The ’799 Patent” refers to U.S. Patent No. 6,898,799.

Please proceed to answer Questions 1, 2, and 3.

INFRINGEMENT

	1. Has ClearPlay proven by a preponderance of the evidence that DISH literally infringes any of the following ClearPlay patent claims?	2. Has ClearPlay proven by a preponderance of the evidence that DISH infringes any of the following ClearPlay patent claims under the doctrine of equivalents?	3. Has ClearPlay proven by a preponderance of the evidence that DISH actively induces infringement of any of the following ClearPlay patent claims?
<u>'970 Patent</u>			
Claim 28:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Claim 33:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<u>'799 Patent</u>			
Claim 12:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If you answered “YES” for any patent claim in any of Questions 1, 2, or 3, please proceed to answer Question 4.

If you did not answer “YES” for any patent claim in Questions 1, 2, and 3, please stop, have the Foreperson date and sign the Verdict Form, and notify the Court Security Officer that you have reached a verdict.

VALIDITY OF THE PATENT

Answer Question 4 only for the patent claim(s) for which you answered "YES" in your answers to any of Questions 1, 2, or 3.

4. Has DISH proven by clear and convincing evidence that any of the following ClearPlay patent claims are invalid?

"YES" finds a claim invalid. "NO" means invalidity was not proven.

'970 Patent	Claim 28:	YES _____	NO <u>X</u>
	Claim 33:	YES _____	NO <u>X</u>

'799 Patent	Claim 12:	YES _____	NO <u>X</u>
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If you answered "NO" for any patent claim in Question 4, please proceed to answer Question 5.

If you answered "YES" in Question 4 for all patent claims for which you answered "YES" in your answers to any of Questions 1, 2, or 3, please stop, have the Foreperson date and sign the Verdict Form, and notify the Court Security Officer that you have reached a verdict.

DAMAGES

Answer Question 5 only if you (a) answered "YES" (finding infringement) in Questions 1, 2, or 3 for at least one patent claim, and (b) answered "NO" (finding invalidity was not proven by DISH) for the same patent claim in Question 4.

- 5. What is the total dollar amount of reasonable royalty, if any, that ClearPlay has proven by a preponderance of the evidence should be awarded for DISH's infringement of a valid claim of ClearPlay's patents?

Reasonable royalty: \$ 469,074,468.00

Please proceed to answer Question 6.

WILLFUL INFRINGEMENT

Answer Question 6 only if you filled in an amount in Question 5.

- 6. Has ClearPlay proven by a preponderance of the evidence that DISH's infringement was willful?

"YES" is a finding in favor of ClearPlay. "NO" is a finding in favor of DISH.

<u>'970 Patent</u>	YES _____	NO <u>X</u>
<u>'799 Patent</u>	YES _____	NO <u>X</u>

Please stop, have the Foreperson date and sign the Verdict Form, and notify the Court Security Officer that you have reached a verdict.

INSTRUCTIONS

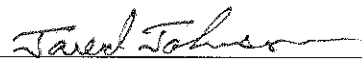
After you have completed the questions as directed above, the Foreperson is to date and sign this Verdict Form on behalf of the jury and notify the Court Security Officer that you have reached a verdict.

CERTIFICATION

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

The verdict is not final until accepted by the court.

DATED this 10 of March 2023.



Jury Foreperson