

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

UNITED SERVICES AUTOMOBILE
ASSOCIATION,

Plaintiff,

v.

PNC BANK N.A.,

Defendant.

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CIV. A. NOS. 2:20-CV-00319-JRG (LEAD)
2:21-CV-00110-JRG

VERDICT FORM

In answering the following questions and completing this Verdict Form, you are to follow all the instructions that I have given you in the Court's Final Jury Instructions. 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 the questions in this Verdict Form.

As used herein, the following terms have the following meanings:

- “**Plaintiff**” or “**USAA**” refers to United Services Automobile Association
- “**Defendant**” or “**PNC**” refers to PNC Bank N.A.
- The “**’432 Patent**” refers to U.S. Patent No. 10,482,432
- The “**’681 Patent**” refers to U.S. Patent No. 10,013,681
- The “**’605 Patent**” refers to U.S. Patent No. 10,013,605
- The “**’571 Patent**” refers to U.S. Patent No. 8,977,571
- The “**Asserted Claims**” refers collectively to Claims 1, 3, 5, and 21 of the ’432 Patent; Claims 12, 13, 22, 26, and 30 of the ’681 Patent; Claims 12, 13 and 22 of the ’605 Patent; and Claims 1, 2, 9, 12, and 13 of the ’571 Patent

**IT IS VERY IMPORTANT THAT YOU FOLLOW THE
INSTRUCTIONS PROVIDED IN THIS VERDICT FORM**

**READ THEM CAREFULLY AND ENSURE THAT YOUR
VERDICT COMPLIES WITH THEM**

QUESTION NO. 1

Did USAA, the Plaintiff, prove by a preponderance of the evidence that PNC, the Defendant, infringed **ANY** of the Asserted Claims?

Yes: ✓ No: _____

QUESTION NO. 2

Did PNC, the Defendant, prove by clear and convincing evidence that any of the following Asserted Claims are invalid?

For each claim below, please answer "Yes" or "No".

Claim 1 of the '432 Patent: Yes: _____ No: ✓

Claim 3 of the '432 Patent: Yes: _____ No: ✓

Claim 5 of the '432 Patent: Yes: _____ No: ✓

Claim 21 of the '432 Patent: Yes: _____ No: ✓

Claim 12 of the '681 Patent: Yes: _____ No: ✓

Claim 13 of the '681 Patent: Yes: _____ No: ✓

Claim 22 of the '681 Patent: Yes: _____ No: ✓

Claim 26 of the '681 Patent: Yes: _____ No: ✓

Claim 30 of the '681 Patent: Yes: _____ No: ✓

Claim 12 of the '605 Patent: Yes: _____ No: ✓

Claim 13 of the '605 Patent: Yes: _____ No: ✓

Claim 22 of the '605 Patent: Yes: _____ No: ✓

Claim 1 of the '571 Patent: Yes: _____ No: ✓

Claim 2 of the '571 Patent: Yes: _____ No: ✓

Claim 9 of the '571 Patent: Yes: _____ No: ✓

Claim 12 of the '571 Patent: Yes: _____ No: ✓

Claim 13 of the '571 Patent: Yes: _____ No: ✓

If you answered “NO” to Question No. 1, OR “YES” to ALL Asserted Claims in Question No. 2, then DO NOT answer Question No. 3.

Answer Question No. 3 ONLY as to any Asserted Claim that you have found BOTH to be infringed AND not invalid.

QUESTION NO. 3

Did USAA, the Plaintiff, prove by a preponderance of the evidence that PNC, the Defendant, willfully infringed **ANY** of the Asserted Claims that you found were infringed?

Yes: ✓ No:

If you answered “NO” to Question No. 1, OR “YES” to ALL Asserted Claims in Question No. 2, then DO NOT answer Question No. 4.

Answer Question No. 4 ONLY as to any Asserted Claim that you have found BOTH to be infringed AND not invalid.

QUESTION NO. 4

What sum of money, if paid now in cash, has USAA, the Plaintiff, proven by a preponderance of the evidence would compensate it for its damages for infringement?

Answer in United States Dollars and Cents, if any:

\$ 218,450,000.00

FINAL PAGE OF THE JURY VERDICT FORM

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

Signed this 13 day of May 2022.

Jury Foreperson _____