

### 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.

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

Start with Question 1 and work your way through and including Question 9. You must answer all 9 questions below unless directed to skip a question.

**Question No. 1:**

Did Marni Markell prove that Central induced infringement of claim 1 of the '445 Patent? Answering YES to this question means that you find for Marni Markell. Answering NO to this question means that you find for Central.

YES \_\_\_\_\_ NO   X  

**Question No. 2:**

Did Marni Markell prove that Central contributorily infringed claim 1 of the '445 Patent? Answering YES to this question means that you find for Marni Markell. Answering NO to this question means that you find for Central.

YES   X   NO \_\_\_\_\_

**Question No. 3:**

Did Marni Markell prove that Central infringed claim 1 of the '445 Patent under 35 U.S.C. § 271(f) based on sales of the Zodiac products in Canada? Answering YES to this question means that you find for Marni Markell. Answering NO to this question means that you find for Central.

YES   X   NO       

If you answered "YES" to any or all of Questions 1, 2, and 3, please answer Question 4 and Question 5 and continue working your way through the remaining questions. If you answered "NO" to all three of Questions 1, 2, and 3, skip Question 4 and Question 5, and please go to and answer Question 6 and continue working your way through the remaining questions.

**Question No. 4:**

Please state: (a) the amount of total infringing sales; (b) the reasonable royalty rate that would have resulted from the hypothetical negotiation; and (c) the reasonable royalty damages. To calculate the reasonable royalty damages, please multiply the amount of total infringing sales by the reasonable royalty rate.

Total Infringing Sales	\$ <u>11,006,000</u>
Reasonable Royalty Rate	<u>4.5</u> %
Reasonable Royalty damages	\$ <u>825,450</u>

If you find no apportionment is necessary, do not fill in the following portion of Question 4, and go to and answer Question 5.

If you find an apportionment is necessary, fill in the following portion of Question 4, stating: the apportionment rate, and the reasonable royalty damages with apportionment applied. To calculate the reasonable royalty damages with apportionment applied, please multiply the reasonable royalty damages by the apportionment rate.

Apportionment Rate     N/A     %

Reasonable Royalty Damages with apportionment applied:

\$ \_\_\_\_\_

**Question No. 5:**

Did Marni Markell prove that Central’s infringement of claim 1 of the ’445 patent was willful? Answering YES to this question means that you find for Marni Markell. Answering NO to this question means that you find for Central.

YES   X   NO \_\_\_\_\_

**Question No. 6:**

Did Marni Markell prove that Central breached the Confidentiality Agreement? Answering YES to this question means that you find for Marni Markell. Answering NO to this question means that you find for Central.

YES   X   NO \_\_\_\_\_

If you answered “YES” to Question 6, please answer Question 7. If you answered “NO” to Question 6, please skip Question 7, and please go to and answer Question 8 and continue working your way through the remaining questions.

**Question 7:**

Please state the total dollar amount of damages you find Marni Markell has sustained as the result of Central’s breach of the Confidentiality Agreement.

\$ 825,450

**Question 8:**

Did Marni Markell prove that Central misappropriated her idea? Answering YES to this question means that you find for Marni Markell. Answering NO to this question means that you find for Central.

YES  NO

If you answered "YES" to Question 8, please answer Question 9. If you answered "NO," skip Question 9.

**Question No. 9:**

If you answered "YES" to Question 8, please state the total dollar amount of damages owed to Marni Markell from Central's misappropriation.

\$ 11,006,500

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Foreperson should then sign and date the verdict form in the spaces below and notify the Courtroom Deputy that you have reached a verdict. The Foreperson should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

Date: 6/24/18

