

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

AVID IDENTIFICATION SYSTEMS, INC. §

Vs.

§

CIVIL ACTION NO. 2:04-CV-183

DATAMARS SA AND THE CRYSTAL
IMPORT CORPORATION

§

VERDICT FORM

QUESTION NO. 1:

Do you find by a preponderance of the evidence that the defendants committed unfair competition and false advertising?

Answer "Yes" or "No."

Answer:

Yes

QUESTION NO. 2:

Do you find by a preponderance of the evidence that the defendants infringe, induce the infringement of, or contribute to the infringement of any of the asserted claims of the patents-in-suit?

Answer "Yes" or "No" for each claim of each patent separately.

'409 patent:

Claim 1:

Yes

Claim 2:

Yes

Claim 8:

Yes

'017 patent:

Claim 1:

Yes

Claim 7:

Yes

Claim 16:

Yes

'326 patent:

Claim 1:

Yes

Claim 56:

Yes

Claim 73:

Yes

If you have answered "Yes" to any part of Question No. 2, then answer Question No. 3. Otherwise, do not answer Question No. 3, but proceed to Question No. 4.

QUESTION NO. 3:

Do you find by clear and convincing evidence that such conduct, as you have found in answer to Question No. 2, was willful?

Answer "Yes" or "No."

Answer:

Yes

QUESTION NO. 4:

Do you find by clear and convincing evidence that any of the asserted claims of the '326 patent are invalid?

Answer "Yes" or "No" for each claim of the patent.

'326 patent:

Claim 1:

No

Claim 56:

No

Claim 73:

No

If you have answered "Yes" to Question No. 1, then answer Question No. 5. Otherwise, do not answer Question No. 5, but proceed to Question No. 6.

QUESTION NO. 5:

What sum of money, if any, would fairly and reasonably compensate the plaintiff as damages caused by the defendants' unfair competition and false advertising that you have found in answer to Question No. 1?

Answer in dollars and cents.

Answer:

\$ 6,000,000

If you have answered "Yes" to any portion of Question No. 2, then answer Question No. 6. Otherwise, do not answer Question No. 6. The jury foreperson should sign and date the Verdict Form and return it to the Security Officer.

QUESTION NO. 6:

What sum of money, if any, would fairly and reasonably compensate the plaintiff for patent infringement as you have found in answer to Question No. 2?

Answer in dollars and cents.

Answer: \$ 26,981

SIGNED this 31 day of May, 2006.

JURY FOREPERSON