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**APPENDIX E**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**Civil Action No. 08-862-JJF/LPS**

**[Filed July 28, 2010]**

LEADER TECHNOLOGIES, INC., a	)
Delaware corporation,	)
	)
Plaintiff-Counterdefendant,	)
	)
v.	)
	)
FACEBOOK, INC., a Delaware corporation,	)
	)
Defendant-Counterclaimant.	)

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**VERDICT FORM**

**A. Leader’s Patent Infringement Claims Against Facebook**

**1. Literal Infringement**

Do you find that Leader has proven by a preponderance of the evidence that Facebook has literally infringed each and every element of any of the asserted claims of U.S. Patent No. 7,139,761?

109a

YES  NO

- a. If you answered “Yes,” please place a check mark next to the claims you found to be infringed.

Claim 1: <input checked="" type="checkbox"/>	Claim 4: <input checked="" type="checkbox"/>	Claim 7: <input checked="" type="checkbox"/>
Claim 9: <input checked="" type="checkbox"/>	Claim 11: <input checked="" type="checkbox"/>	Claim 16: <input checked="" type="checkbox"/>
Claim 21: <input checked="" type="checkbox"/>	Claim 23: <input checked="" type="checkbox"/>	Claim 25: <input checked="" type="checkbox"/>
Claim 31: <input checked="" type="checkbox"/>	Claim 32: <input checked="" type="checkbox"/>	

**2. Infringement Under the Doctrine of Equivalents**

If you found that Facebook did not literally infringe some or all of the claims of U.S. Patent No. 7,139,761 in Question 1, do you find that Leader has proven by a preponderance of the evidence that Facebook has infringed any of those claims under the doctrine of equivalents?

YES  NO

- a. If you answered “Yes,” please mark the claims you found to be infringed under the doctrine of equivalents.

Claim 1: <input type="checkbox"/>	Claim 4: <input type="checkbox"/>	Claim 7:
Claim 9: <input type="checkbox"/>	Claim 11: <input type="checkbox"/>	Claim 16:
Claim 21: <input type="checkbox"/>	Claim 23: <input type="checkbox"/>	Claim 25:
Claim 31: <input type="checkbox"/>	Claim 32: <input type="checkbox"/>	

**3. Control or Direction**

With respect to its infringement claims against Facebook with respect to claims 9, 11, and 16, has Leader shown by a preponderance of the evidence that Facebook controls or directs the accused actions of Facebook end users and/or Facebook employees?

a. Facebook end users      YES \_\_\_ NO X

b. Facebook employees      YES \_\_\_ NO X

**4. Priority Date of U.S. Patent No. 7,139,761**

Do you find that Leader has proven by a preponderance of the evidence that U.S. Patent Application No. 60/432255 (the "Provisional Application") fully discloses each and every element of any asserted claim of U.S. Patent No. 7,139,761?

YES \_\_\_ NO X

a. If you answered "Yes," please mark the asserted claims of U.S. Patent No. 7,139,761 for which you found that each and every element was fully disclosed by the Provisional Application.

Claim 1: ___	Claim 4: ___	Claim 7:
Claim 9: ___	Claim 11: ___	Claim 16:
Claim 21: ___	Claim 23: ___	Claim 25:
Claim 31: ___	Claim 32: ___	

**B. Facebook's Patent Invalidity Defenses**

**1. On-Sale Bar**

Do you find that Facebook has proven by clear and convincing evidence that the asserted claims of U.S. Patent No. 7,139,761 are invalid because the alleged invention was the subject of an invalid offer of sale?

YES  NO

**2. Prior Public Use**

Do you find that Facebook has proven by clear and convincing evidence that the asserted claims of U.S. Patent No. 7,139,761 are invalid because the alleged invention was the subject of an invalidating public use?

YES  NO

**3. Anticipation by iManage**

Do you find that Facebook has proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No. 7,139,761 are invalid because they are anticipated by iManage DeskSite 6.0 ("iManage")?

YES  NO

- a. If you answered "Yes," please mark the claims you found to be anticipated.

Claim 1: ___	Claim 4: ___	Claim 7:
Claim 9: ___	Claim 11: ___	Claim 16:
Claim 21: ___	Claim 23: ___	Claim 25:
Claim 31: ___	Claim 32: ___	

#### 4. Anticipation by Swartz

Do you find that Facebook has proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No.7, 139,761 are invalid because they are anticipated by U.S. Patent No. 6,236,994 B1 (“Swartz”)?

YES \_\_\_ NO X

a. If you answered “Yes,” please mark the claims you found to be anticipated.

Claim 1: ___	Claim 4: ___	Claim 7:
Claim 9: ___	Claim 11: ___	Claim 16:
Claim 21: ___	Claim 23: ___	Claim 25:
Claim 31: ___	Claim 32: ___	

#### 5. Anticipation by Hubert

Do you find that Facebook has proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No. 7,139,761 are invalid because they are anticipated by European Patent

Application No. EP 1 087 306 A2 or U.S. Patent No. 7,590,934 B2 (“Hubert”)?

YES \_\_\_ NO X

- a. If you answered “Yes,” please mark the claims you found to be anticipated.

Claim 1: ___	Claim 4: ___	Claim 7:
Claim 9: ___	Claim 11: ___	Claim 16:
Claim 21: ___	Claim 23: ___	Claim 25:
Claim 31: ___	Claim 32: ___	

## 6. Obviousness

Do you find that Facebook has proven by clear and convincing evidence that any of the claims of U.S. Patent No. 7,139,761 are invalid on the ground of obviousness?

YES \_\_\_ NO X

- a. If you answered “Yes,” please mark the claims you found to be obvious.

Claim 1: ___	Claim 4: ___	Claim 7:
Claim 9: ___	Claim 11: ___	Claim 16:
Claim 21: ___	Claim 23: ___	Claim 25:
Claim 31: ___	Claim 32: ___	

**Signatures**

Date July 28, 2010

/s/

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FOREPERSON

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