

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

SKILLZ PLATFORM INC.,
Plaintiff,
v.
AVIAGAMES INC.,
Defendant.

Case No. 21-cv-02436-BLF
VERDICT FORM

United States District Court
Northern District of California

We, the jury, unanimously answer the following questions as our verdict in this case.

I. FINDINGS ON INFRINGEMENT

QUESTION 1: Did Skillz prove by a preponderance of the evidence that AviaGames’s

Pocket7Games product literally infringes any of the following asserted claims of the ’564 patent?

Checking “yes” below indicates a finding for Skillz. Checking “no” below indicates a finding for AviaGames.

Claim 1 Yes No

If you answered “no” for Claim 1, skip Claim 4 and continue to Claim 11. Otherwise, continue to Claim 4.

Claim 4 Yes No

Continue to Claim 11.

Claim 11 Yes No

If you answered “no” for Claim 11, skip Claim 14 and continue to Claim 18. Otherwise, continue to Claim 14.

Claim 14 Yes No

Continue to claim 18.

Claim 18 Yes No

If you answered “no” for Claim 18, skip Claim 21.

Claim 21 Yes No

For each claim you did not find literally infringed in Question 1, answer Question 2. If you found all claims literally infringed in Question 1, continue to Question 3.

1 **QUESTION 2:** For any claim of the '564 patent, if you did not find that AviaGames's
2 Pocket7Games product literally infringes the claim, did Skillz prove by a preponderance of the
3 evidence that AviaGames's product infringes any of the following asserted claims of the '564 patent
4 under the doctrine of equivalents?

5 *Checking "yes" below indicates a finding for Skillz. Checking "no" below indicates a finding for*
6 *AviaGames.*

7 Claim 1 Yes _____ No _____

8 If you answered "no" for Claim 1, skip Claim 4 and continue to Claim 11. Otherwise, continue to
9 Claim 4.

10 Claim 4 Yes _____ No _____

11 Continue to Claim 11.

12 Claim 11 Yes _____ No _____

13 If you answered "no" for Claim 11, skip Claim 14 and continue to Claim 18. Otherwise, continue to
14 Claim 14.

15 Claim 14 Yes _____ No _____

16 Continue to Claim 18.

17 Claim 18 Yes _____ No _____

18 If you answered "no" for Claim 18, skip Claim 21.

19 Claim 21 Yes _____ No _____

20

21 Continue to Question 3.

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

II. FINDINGS ON INVALIDITY

QUESTION 3: Did AviaGames prove by clear and convincing evidence that the asserted claims of the '564 patent are invalid because the phrase "a stream of pseudo random number seeds wherein a unique match identifier is used for generating the stream of pseudo random number seeds" lacks written description support?

Checking "yes" below indicates a finding for AviaGames. Checking "no" below indicates a finding for Skillz.

Yes _____

No _____

If you found one or more claims of the '564 patent to be infringed in Question 1 or 2 and not invalid in Question 3 (i.e., if you checked "Yes" for any claim in Question 1 or Question 2, and "No" for Question 3), continue to Question 4. Otherwise, go to the end of the verdict form.

III. FINDINGS ON DAMAGES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

QUESTION 4: What sum of money do you find that Skillz has proven by a preponderance of the evidence would fairly and reasonably compensate Skillz for AviaGames’s infringement of the ’564 patent through the date of this trial?

\$ 42,899,274.00

Continue to Question 5.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IV. FINDINGS ON WILLFULNESS

QUESTION 5: Did Skillz prove by a preponderance of the evidence that AviaGames willfully infringed any claim of the '564 patent?

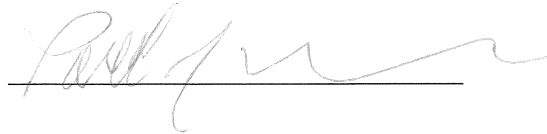
Checking "yes" below indicates a finding for Skillz. Checking "no" below indicates a finding for AviaGames.

Yes No

V. END OF VERDICT FORM

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous decisions in this case. If you are satisfied that your unanimous answers are accurately reflected, please have your Presiding Juror sign and date this form in the spaces below and return it to the Judge.

Presiding Juror



Date

2/9/24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28