

JUN 29 2009

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

DAVID J. MALAND, CLERK
BY DEPUTY shd

CENIOCOR ORTHO BIOTECH, INC. and §
NEW YORK UNIVERSITY, §

Plaintiffs, §

v. §

ABBOTT LABORATORIES, ABBOTT §
BIORESEARCH CENTER, INC., and §
ABBOTT BIOTECHNOLOGY LTD., §

Defendants. §

CIVIL ACTION NO. 2:07-CV-139 (TJW)

VERDICT FORM

Question No. 1:

Do you find that Centocor has proven by a preponderance of the evidence that Abbott has infringed any of the following claims of U.S. Patent No. 7,070,775 ("the '775 patent")?

Answer "yes" or "no" for each claim.

Claim 2: yes

Claim 3: yes

Claim 14: yes

Claim 15: yes

Question No. 2:

Do you find that Abbott has proven by clear and convincing evidence that any of the following claims of U.S. Patent No. 7,070,775 ("the '775 patent") are invalid for any of the following reasons? "Yes" means the claims are invalid, and "No" means the claims are not invalid.

A. For failing to meet the enablement requirement?

Answer "yes" or "no" for each claim.

Claim 2: NO

Claim 3: NO

Claim 14: no

Claim 15: NO

B. For failing to meet the written description requirement?

Answer "yes" or "no" for each claim.

Claim 2: No

Claim 3: NO

Claim 14: NO

Claim 15: NO

C. Because it is anticipated by the prior art?

Answer "yes" or "no" for each claim.

Claim 2: NO

Claim 3: NO

Claim 14: NO

Claim 15: NO

If you have found any of the claims infringed and valid (i.e. if you have answered “yes” to any of the claims in question number 1 and “no” to all sections of question number 2 for the corresponding claim), then answer questions 3 AND 4. Otherwise, do not answer the following two questions. The jury foreperson should instead sign and date the Verdict Form and return it to the Security Officer.

Question No. 3:

Do you find that Centocor has proven by clear and convincing evidence that Abbott’s infringement was willful?

Yes, or No. Yes

Question No. 4:

What sum of money, if any, if paid now in cash, would fairly and reasonably compensate Centocor for any infringement you have found?

Answer in dollars, if any, for any lost profits.

Answer: \$ 1,168,466,000

Answer in dollars, if any, for a reasonable royalty.

Answer: \$ 504,128,000

Answer No Further Questions.

Signed the 29 day of June, 2009.

Presiding Juror