

Read In Open Court on 8/25/23 (vtd)

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

W. R. GRACE & CO.-CONN.,

Plaintiff,

v.

ELYSIUM HEALTH, INC.,

Defendant.

C.A. No. 20-1098-GBW

VERDICT FORM

INSTRUCTIONS

When answering the following questions and completing 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 for guidance on the law applicable to each question.

- You should answer all of questions 1 to 8.
- Whether you answer questions 9 to 11, which concern the issues of damages and willfulness, will depend on the answers you give to questions 1 to 8 as indicated by the additional instructions provided with each set of questions.

FINDINGS ON INFRINGEMENT

Directions: The questions regarding infringement should be answered regardless of your findings with respect to the validity or invalidity of the patents.

1. Direct Infringement of the Asserted Claims

Has Grace proven by a preponderance of the evidence that Elysium has directly infringed any of the asserted claims? *Check YES or NO for each claim.*

Checking "yes" below indicates a finding for Grace

Checking "no" below indicates a finding for Elysium

	YES (Elysium infringes)	NO (Elysium does not infringe)
'058 Patent		
Claim 1	✓	
Claim 2	✓	
Claim 21	✓	


	YES (Elysium infringes)	NO (Elysium does not infringe)
'872 Patent		
Claim 1	✓	
Claim 6	✓	
Claim 15	✓	

2. Induced Infringement of an Asserted Claim

Has Grace proven by a preponderance of the evidence that Elysium has induced infringement of the following asserted claim?

Checking "yes" below indicates a finding for Grace

Checking "no" below indicates a finding for Elysium


	YES (Elysium infringes)	NO (Elysium does not infringe)
'058 Patent		
Claim 21		

3. Contributory Infringement of an Asserted Claims

Has Grace proven by a preponderance of the evidence that Elysium has contributed to the infringement of the following asserted claim?

Checking "yes" below indicates a finding for Grace

Checking "no" below indicates a finding for Elysium

	YES (Elysium infringes)	NO (Elysium does not infringe)
'058 Patent		
Claim 21		



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