

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

COMMIL USA, LLC

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vs.

CASE NO. 2:07-CV-341

CISCO SYSTEMS, INC.

AMENDED FINAL JUDGMENT

On May 11, 2010, a jury trial commenced in this case. On May 17, 2010, the case was submitted to the jury, and the jury returned a verdict finding that defendant Cisco Systems, Inc. (“Cisco”) had directly infringed claims 1, 4, and 6 of U.S. Patent No. 6,430,395 (“’395 Patent”) (See Dkt. No. 335). The jury, however, did not find that Cisco had induced infringement of the ’395 Patent. Furthermore, the jury failed to find the ’395 Patent invalid. The jury awarded plaintiff Commil USA, LLC (“Commil”) \$3,726,207 to compensate for Cisco’s direct infringement.

Subsequent thereto, Commil filed a motion for new trial on the issues of induced infringement and damages and the court granted Commil’s motion (Dkt. No. 361). The new trial began on April 5, 2011. On April 8, 2011, the case was submitted to the jury, and the jury returned a verdict finding that Cisco had induced infringement of claims 1, 4, and 6 of the ’395 Patent (Dkt. No. 422). The jury awarded Commil \$63,791,153 to compensate for Cisco’s induced infringement.

Accordingly, it is ORDERED, ADJUDGED, AND DECREED that Cisco directly infringed and induced infringement of claims 1, 4, and 6 of the ’395 Patent and that those claims are valid. It is further ORDERED, ADJUDGED, AND DECREED that Commil recover from Cisco the amount of Sixty-three Million Seven Hundred Ninety-one Thousand One Hundred

Fifty Three Dollars (\$63,791,153) in actual damages.

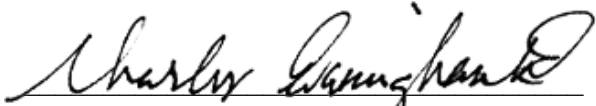
It is further ORDERED, ADJUDGED, AND DECREED that Commil recover from Cisco prejudgment interest in the amount of Ten Million Two Hundred Ninety-five Thousand Three Hundred Eighty-six Dollars and Thirty-two Cents (\$10,295,386.32).

It is further ORDERED, ADJUDGED, AND DECREED that Commil recover from Cisco post-judgment interest at the lawful federal rate.

It is further ORDERED, ADJUDGED, AND DECREED that Commil recover from Cisco the amount of Seventeen Thousand Seven Hundred Thirty Seven Dollars and Ninety Eight Cents (\$17,737.98) as costs.

This is a FINAL JUDGMENT. All other pending motions are DENIED.

SIGNED this 28th day of September, 2011.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE