

of \$10,553,565 as a running royalty. (Dkt. No. 291.) Following submission of the evidence to the jury, on August 27, 2018, a bench trial was conducted as to Count IX of the Third Amended Complaint. (Dkt. No. 293.)

Pursuant to Rule 58 of the Federal Rules of Civil Procedure, in accordance with the jury's unanimous verdict and the entirety of the record, the Court hereby **ORDERS** and **ENTERS JUDGMENT** as follows:


1. Defendant Huawei has infringed each of the Asserted Claims.
2. Defendant Huawei's infringement of each of the Asserted Claims was willful.
3. Each of the Asserted Claims is not invalid.
4. Plaintiff PanOptis is the prevailing party.
5. Plaintiff PanOptis is hereby **AWARDED COMPENSATORY DAMAGES** against Defendant Huawei and shall accordingly have and recover from Defendant Huawei the sum of \$10,553,565 U.S. Dollars, which amount is a running royalty calculated and effective through March 31, 2018.
6. As explained in this Court's Order on Plaintiff PanOptis's Motion for Enhanced Damages, Plaintiff PanOptis is hereby **AWARDED ENHANCED DAMAGES** against Defendant Huawei and shall further have and recover from Defendant Huawei the sum of \$2,638,391.25 U.S. Dollars, being a 25% enhancement of the compensatory damages awarded.
7. As explained in this Court's Order on Plaintiff PanOptis's Motion for Supplemental Damages, Prejudgment and Postjudgment Interests, and Costs, Plaintiff PanOptis is hereby **AWARDED SUPPLEMENTAL DAMAGES TO BE SET AS AN ENHANCED ROYALTY RATE OF 125% OF THE FOLLOWING:** as a percentage of sales

revenues received by Defendant Huawei produced by the post-verdict infringing conduct of the Accused Products between March 31, 2018 and the date of entry of this Final Judgment, specified as follows: 0.020% for the '216 patent; 0.335% for the '569 patent; 0.145% for the '284 patent; 0.048% for the '293 patent; and 1.450% for the '238 patent.

8. As explained in this Court's Order on Plaintiff PanOptis's Motion for Ongoing Royalty, the **ONGOING ROYALTY RATE IN THIS CASE IS HEREBY SET AS FOLLOWS:** as a percentage of sales revenues received by Defendant Huawei produced by the post-verdict infringing conduct of the Accused Products through the life of each of the Asserted Patents, specified as follows: 0.020% for the '216 patent; 0.335% for the '569 patent; 0.145% for the '284 patent; 0.048% for the '293 patent; and 1.450% for the '238 patent. It is further **ORDERED** that pursuant to the foregoing ongoing royalty rate structure, Defendant Huawei shall provide Plaintiff PanOptis an accounting and currently make payment at 125% of the above percentage of sales, due within seventy-five (75) days after the close of each calendar quarter hereafter.
9. As explained in this Court's Order on Plaintiff PanOptis's Motion for Supplemental Damages, Prejudgment and Postjudgment Interest, and Costs, Plaintiff PanOptis is hereby **AWARDED PRE-JUDGMENT INTEREST** in the amount calculated at the prime rate, compounded quarterly, on any compensatory and supplemental damages awarded to Plaintiff PanOptis.
10. As explained in this Court's Order on Plaintiff PanOptis's Motion for Supplemental Damages, Prejudgment and Postjudgment Interest, and Costs and pursuant to 28 U.S.C. § 1961, Plaintiff PanOptis is hereby **AWARDED POST-JUDGMENT INTEREST** on all sums awarded herein, at the statutory rate, from the entry of this Final Judgment until paid.

11. As explained in this Court's Order on Plaintiff PanOptis's Motion for Supplemental Damages, Prejudgment and Postjudgment Interest, and Costs and pursuant to 28 U.S.C. § 1920, Plaintiff PanOptis, as the prevailing party, is hereby **AWARDED COSTS**, in which Plaintiff PanOptis shall submit to the Court a Bill of Costs within thirty (30) days from the entry of this Final Judgment.
12. As explained in this Court's Order on Plaintiff PanOptis's Motion for Ongoing Royalty and Order on Plaintiff PanOptis's Motion for Supplemental Damages, Prejudgment and Postjudgment Interest, and Costs, it is **ORDERED** that Defendant Huawei shall provide Plaintiff PanOptis with an accounting of infringing sales after March 31, 2018 within seventy-five (75) days after the close of each calendar quarter hereafter and through the respective lives of the patents-in-suit.
13. As explained in this Court's Memorandum of Findings of Fact and Conclusions of Law as to Count IX of PanOptis' Third Amended Complaint, the Court **DECLINES TO ISSUE A DECLARATORY JUDGMENT** as to Count IX of PanOptis' Third Amended Complaint as a matter of judicial discretion.
14. All other relief requested by either party and not specifically awarded herein is **DENIED**.
The Clerk is directed to **CLOSE** the above-captioned case.

So ORDERED and SIGNED this 18th day of March, 2019.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE