UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

RAYTHEON COMPANY, a Delaware corporation, Plaintiff, v. INDIGO SYSTEMS CORPORATION, a California corporation, and FLIR SYSTEMS, INCORPORATED, an Oregon corporation, Defendants.	§	Case No. 4:07 cv 109

Verdict

Question 1

Did Raytheon prove by a preponderance of the evidence that one or more of its alleged trade secrets is, in fact, a trade secret?

Answer "Yes" or "No."

Answer: YES

If you answered "Yes" to Question 1, answer the following questions. If you answered "No" to Question 1, skip to Question 9 without answering the following questions.

Question 2a

Did Raytheon prove that all 31 of the alleged trade secrets are, in fact, trade secrets?

Answer "Yes" or "No."

Answer: NO

Question 2b

If you answered "No" to Question 2a, identify which alleged trade secrets are, in fact, trade secrets by writing "yes" on the line next to the trade secret(s) below:

Trade Secret 1	Use of Silver-Gold Alloy (Au/AG) Wire for the Electrical Interface	NO
Trade Secret 2:	Use of Silicone Adhesive for FPA Mounting:	NO
Trade Secret 3:	Backside and Edge Treatment (metallization or painting) of the FPA Platform/Motherboard	NO
Trade Secret 4:	Use of EC2216 Adhesive for Vacuum and Cryogenic Packaging	NO
Trade Secret 5:	Mechanical Isolation Between the FPA Platform/Motherboard and Coldfinger:	NO
Trade Secret 6:	Use of Aluminum Nitride for the Mechanical Isolator/Platform:	NO
Trade Secret 7:	The Use of Certain Methods to Control Stray Light:	NO
Trade Secret 8:	Use of UV/Ozone Ash Cleaning for Wire Bonding:	NO
Trade Secret 9:	Use of a Stiffening Element to Control Image Plane Motion:	NO
Trade Secret 10:	Use of Epoxy-Based Flat Black Paint in a Detector Dewar Assembly:	NO
Trade Secret 11:	Use of a Recessed Outer Housing Window:	NO
Trade Secret 12:	Mutlilayer Ceramic Electrical Feedthrough:	NO
Trade Secret 13:	Use of Wet Hydrogen Firing to Reduce Surface Decarburization:	NO
Trade Secret 14:	Method and Use of Sequential Vacuum Bake:	YES
Trade Secret 15:	Use of Glass-Bead-Filled Adhesive for Bond Joint Control:	NO
Trade Secret 16:	Method of InSb Passivation:	NO

Trade Secret 17:	Whole Wafer Cleanup Etch:	~~YES~~ NO
Trade Secret 18:	Static Wafer Cleanup Etch:	YES
Trade Secret 19:	Use of Multi-Solvent Cleaning Process for Wire Bonding and Adhesive Bonding:	NO
Trade Secret 20:	Method and Use of High Energy Cleaning:	NO
Trade Secret 21:	Improved Passivation Process for Light Incident Surface of InSb Detectors:	NO
Trade Secret 22:	The Method and Use of Certain Epoxies for Wicking:	YES
Trade Secret 23:	Two Step Hybridization Using a "Tack and Hypress" Approach:	NO
Trade Secret 24:	ROIC and Detector Flatness Screening Prior to Hybridization:	NO
Trade Secret 25:	Oxide Removal Prior to Hybridization:	NO
Trade Secret 26:	Vacuum Lifetime Predictions:	NO
Trade Secret 27:	Use of Alumina-filled EC2216 Adhesive:	NO
Trade Secret 28:	Process Method of Performing Vacuum Life Predictions for the Uncooled Ceramic Package:	NO
Trade Secret 29:	Method for Plating and Soldering the Microbolometer Lower Assembly and Frame Assembly:	NO
Trade Secret 30:	In Situ Solder Seal Package Assembly Process:	YES
Trade Secret 31:	Diamond Point Turning with Automated Leveling:	NO

Question 3a

Did Raytheon prove by a preponderance of the evidence that Indigo misappropriated one or more of Raytheon's trade secrets?

Answer "Yes" or "No."

Answer: NO

If you answered "Yes" to Question 3a, answer the following questions. If you answered "No," skip to Question 4a without answering the following questions.

Question 3b

Did Indigo misappropriate all of Raytheon's 31 alleged trade secrets? Answer 3b only if you answered "Yes" to 2a. Otherwise answer 3c.

Answer "Yes" or "No."

Answer: NO

Question 3c

If you answered question 3b "Yes," do not answer question 3c. Otherwise answer question 3c. Identify which trade secrets Indigo misappropriated by writing "yes" on the line next to the trade secret(s) below. Answer yes only with respect to alleged trade secrets you found to be trade secrets in answer to 2b.

Trade Secret 1	Use of Silver-Gold Alloy (Au/AG) Wire for the Electrical Interface	NO
Trade Secret 2:	Use of Silicone Adhesive for FPA Mounting:	NO
Trade Secret 3:	Backside and Edge Treatment (metallization or painting) of the FPA Platform/Motherboard	NO
Trade Secret 4:	Use of EC2216 Adhesive for Vacuum and Cryogenic Packaging	NO
Trade Secret 5:	Mechanical Isolation Between the FPA Platform/Motherboard and Coldfinger:	NO
Trade Secret 6:	Use of Aluminum Nitride for the Mechanical Isolator/Platform:	NO
Trade Secret 7:	The Use of Certain Methods to Control Stray Light:	NO

Trade Secret 8:	Use of UV/Ozone Ash Cleaning for Wire Bonding:	NO
Trade Secret 9:	Use of a Stiffening Element to Control Image Plane Motion:	NO
Trade Secret 10:	Use of Epoxy-Based Flat Black Paint in a Detector Dewar Assembly:	NO
Trade Secret 11:	Use of a Recessed Outer Housing Window:	NO
Trade Secret 12:	Mutlilayer Ceramic Electrical Feedthrough:	NO
Trade Secret 13:	Use of Wet Hydrogen Firing to Reduce Surface Decarburization:	NO
Trade Secret 14:	Method and Use of Sequential Vacuum Bake:	NO
Trade Secret 15:	Use of Glass-Bead-Filled Adhesive for Bond Joint Control:	NO
Trade Secret 16:	Method of InSb Passivation:	NO
Trade Secret 17:	Whole Wafer Cleanup Etch:	NO
Trade Secret 18:	Static Wafer Cleanup Etch:	NO
Trade Secret 19:	Use of Multi-Solvent Cleaning Process for Wire Bonding and Adhesive Bonding:	NO
Trade Secret 20:	Method and Use of High Energy Cleaning:	NO
Trade Secret 21:	Improved Passivation Process for Light Incident Surface of InSb Detectors:	NO
Trade Secret 22:	The Method and Use of Certain Epoxies for Wicking:	NO
Trade Secret 23:	Two Step Hybridization Using a "Tack and Hypress" Approach:	NO
Trade Secret 24:	ROIC and Detector Flatness Screening Prior to Hybridization:	NO
Trade Secret 25:	Oxide Removal Prior to Hybridization:	NO
Trade Secret 26:	Vacuum Lifetime Predictions:	NO
Trade Secret 27:	Use of Alumina-filled EC2216 Adhesive:	NO

Trade Secret 28:	Process Method of Performing Vacuum Life Predictions for the Uncooled Ceramic Package:	NO
Trade Secret 29:	Method for Plating and Soldering the Microbolometer Lower Assembly and Frame Assembly:	NO
Trade Secret 30:	In Situ Solder Seal Package Assembly Process:	NO
Trade Secret 31:	Diamond Point Turning with Automated Leveling:	NO

Question 3d

Did Raytheon prove by a preponderance of the evidence that Indigo was unjustly enriched from its misappropriation of Raytheon's trade secret(s)?

Answer "Yes" or "No."

Answer: _____

Question 3e

If you answered "Yes" to Question 3b, list the dollar amount of the unjust enrichment proven by Raytheon. Otherwise, proceed to Question 3f.

Answer in dollars and cents, if any.

Answer: _____

Question 3f

If you answered "Yes" to Question 3c for at least one but not all of the trade secrets, list the total dollar amount of the unjust enrichment, and apportion the amount among the misappropriated trade secrets.

Answer in dollars and cents, if any.

Answer: _____

Trade Secret 1	Use of Silver-Gold Alloy (Au/AG) Wire for the Electrical Interface	_____
Trade Secret 2:	Use of Silicone Adhesive for FPA Mounting:	_____
Trade Secret 3:	Backside and Edge Treatment (metallization or painting) of the FPA Platform/Motherboard	_____
Trade Secret 4:	Use of EC2216 Adhesive for Vacuum and Cryogenic Packaging	_____
Trade Secret 5:	Mechanical Isolation Between the FPA Platform/Motherboard and Coldfinger:	_____
Trade Secret 6:	Use of Aluminum Nitride for the Mechanical Isolator/Platform:	_____
Trade Secret 7:	The Use of Certain Methods to Control Stray Light:	_____
Trade Secret 8:	Use of UV/Ozone Ash Cleaning for Wire Bonding:	_____
Trade Secret 9:	Use of a Stiffening Element to Control Image Plane Motion:	_____
Trade Secret 10:	Use of Epoxy-Based Flat Black Paint in a Detector Dewar Assembly:	_____
Trade Secret 11:	Use of a Recessed Outer Housing Window:	_____
Trade Secret 12:	Mutlilayer Ceramic Electrical Feedthrough:	_____
Trade Secret 13:	Use of Wet Hydrogen Firing to Reduce Surface Decarburization:	_____
Trade Secret 14:	Method and Use of Sequential Vacuum Bake:	_____
Trade Secret 15:	Use of Glass-Bead-Filled Adhesive for Bond Joint Control:	_____
Trade Secret 16:	Method of InSb Passivation:	_____
Trade Secret 17:	Whole Wafer Cleanup Etch:	_____
Trade Secret 18:	Static Wafer Cleanup Etch:	_____

Trade Secret 19:	Use of Multi-Solvent Cleaning Process for Wire Bonding and Adhesive Bonding:	_____
Trade Secret 20:	Method and Use of High Energy Cleaning:	_____
Trade Secret 21:	Improved Passivation Process for Light Incident Surface of InSb Detectors:	_____
Trade Secret 22:	The Method and Use of Certain Epoxies for Wicking:	_____
Trade Secret 23:	Two Step Hybridization Using a "Tack and Hypress" Approach:	_____
Trade Secret 24:	ROIC and Detector Flatness Screening Prior to Hybridization:	_____
Trade Secret 25:	Oxide Removal Prior to Hybridization:	_____
Trade Secret 26:	Vacuum Lifetime Predictions:	_____
Trade Secret 27:	Use of Alumina-filled EC2216 Adhesive:	_____
Trade Secret 28:	Process Method of Performing Vacuum Life Predictions for the Uncooled Ceramic Package:	_____
Trade Secret 29:	Method for Plating and Soldering the Microbolometer Lower Assembly and Frame Assembly:	_____
Trade Secret 30:	In Situ Solder Seal Package Assembly Process:	_____
Trade Secret 31:	Diamond Point Turning with Automated Leveling:	_____

Question 4a

Did Raytheon prove by a preponderance of the evidence that FLIR misappropriated one or more of Raytheon's trade secrets?

Answer "Yes" or "No."

Answer: NO

If you answered "Yes" to Question 4a, answer the following questions. Otherwise, skip to question 5a without answering the following questions.

Question 4b

Did FLIR misappropriate all of Raytheon's 31 alleged trade secrets? Answer 4b only if you answered "Yes" to 2a. Otherwise, answer 4c.

Answer "Yes" or "No."

Answer: _____

Question 4c

If you answered question 4b "Yes," do not answer question 4c. Otherwise, answer question 4c. Identify which trade secrets FLIR misappropriated by writing "yes" on the line next to the trade secret(s) below. Answer yes only with respect to alleged trade secrets you found to be trade secrets in answer to 2b.

Trade Secret 1	Use of Silver-Gold Alloy (Au/AG) Wire for the Electrical Interface	_____
Trade Secret 2:	Use of Silicone Adhesive for FPA Mounting:	_____
Trade Secret 3:	Backside and Edge Treatment (metallization or painting) of the FPA Platform/Motherboard	_____
Trade Secret 4:	Use of EC2216 Adhesive for Vacuum and Cryogenic Packaging	_____
Trade Secret 5:	Mechanical Isolation Between the FPA Platform/Motherboard and Coldfinger:	_____
Trade Secret 6:	Use of Aluminum Nitride for the Mechanical Isolator/Platform:	_____
Trade Secret 7:	The Use of Certain Methods to Control Stray Light:	_____
Trade Secret 8:	Use of UV/Ozone Ash Cleaning for Wire Bonding:	_____

Trade Secret 9:	Use of a Stiffening Element to Control Image Plane Motion:	_____
Trade Secret 10:	Use of Epoxy-Based Flat Black Paint in a Detector Dewar Assembly:	_____
Trade Secret 11:	Use of a Recessed Outer Housing Window:	_____
Trade Secret 12:	Mutlilayer Ceramic Electrical Feedthrough:	_____
Trade Secret 13:	Use of Wet Hydrogen Firing to Reduce Surface Decarburization:	_____
Trade Secret 14:	Method and Use of Sequential Vacuum Bake:	_____
Trade Secret 15:	Use of Glass-Bead-Filled Adhesive for Bond Joint Control:	_____
Trade Secret 16:	Method of InSb Passivation:	_____
Trade Secret 17:	Whole Wafer Cleanup Etch:	_____
Trade Secret 18:	Static Wafer Cleanup Etch:	_____
Trade Secret 19:	Use of Multi-Solvent Cleaning Process for Wire Bonding and Adhesive Bonding:	_____
Trade Secret 20:	Method and Use of High Energy Cleaning:	_____
Trade Secret 21:	Improved Passivation Process for Light Incident Surface of InSb Detectors:	_____
Trade Secret 22:	The Method and Use of Certain Epoxies for Wicking:	_____
Trade Secret 23:	Two Step Hybridization Using a "Tack and Hypress" Approach:	_____
Trade Secret 24:	ROIC and Detector Flatness Screening Prior to Hybridization:	_____
Trade Secret 25:	Oxide Removal Prior to Hybridization:	_____
Trade Secret 26:	Vacuum Lifetime Predictions:	_____
Trade Secret 27:	Use of Alumina-filled EC2216 Adhesive:	_____
Trade Secret 28:	Process Method of Performing Vacuum Life Predictions for the Uncooled Ceramic Package:	_____

Trade Secret 29:	Method for Plating and Soldering the Microbolometer Lower Assembly and Frame Assembly:	_____
Trade Secret 30:	In Situ Solder Seal Package Assembly Process:	_____
Trade Secret 31:	Diamond Point Turning with Automated Leveling:	_____

Question 4d

Did Raytheon prove by a preponderance of the evidence that FLIR was unjustly enriched from its misappropriation of Raytheon's trade secret(s)?

Answer "Yes" or "No."

Answer: _____

Question 4e

If you answered "Yes" to Question 4b, list the dollar amount of the unjust enrichment proven by Raytheon. Otherwise, proceed to Question 4f.

Answer in dollars and cents, if any.

Answer: _____

Question 4f

If you answered "Yes" to Question 4c for at least one but not all of the trade secrets, list the total dollar amount of the unjust enrichment, and apportion the amount among the misappropriated trade secrets.

Answer in dollars and cents, if any.

Answer: _____

Trade Secret 1	Use of Silver-Gold Alloy (Au/AG) Wire for the Electrical Interface	_____
Trade Secret 2:	Use of Silicone Adhesive for FPA	

	Mounting:	_____
Trade Secret 3:	Backside and Edge Treatment (metallization or painting) of the FPA Platform/Motherboard	_____
Trade Secret 4:	Use of EC2216 Adhesive for Vacuum and Cryogenic Packaging	_____
Trade Secret 5:	Mechanical Isolation Between the FPA Platform/Motherboard and Coldfinger:	_____
Trade Secret 6:	Use of Aluminum Nitride for the Mechanical Isolator/Platform:	_____
Trade Secret 7:	The Use of Certain Methods to Control Stray Light:	_____
Trade Secret 8:	Use of UV/Ozone Ash Cleaning for Wire Bonding:	_____
Trade Secret 9:	Use of a Stiffening Element to Control Image Plane Motion:	_____
Trade Secret 10:	Use of Epoxy-Based Flat Black Paint in a Detector Dewar Assembly:	_____
Trade Secret 11:	Use of a Recessed Outer Housing Window:	_____
Trade Secret 12:	Mutlilayer Ceramic Electrical Feedthrough:	_____
Trade Secret 13:	Use of Wet Hydrogen Firing to Reduce Surface Decarburization:	_____
Trade Secret 14:	Method and Use of Sequential Vacuum Bake:	_____
Trade Secret 15:	Use of Glass-Bead-Filled Adhesive for Bond Joint Control:	_____
Trade Secret 16:	Method of InSb Passivation:	_____
Trade Secret 17:	Whole Wafer Cleanup Etch:	_____
Trade Secret 18:	Static Wafer Cleanup Etch:	_____
Trade Secret 19:	Use of Multi-Solvent Cleaning Process for Wire Bonding and Adhesive Bonding:	_____
Trade Secret 20:	Method and Use of High Energy Cleaning:	_____

Trade Secret 21:	Improved Passivation Process for Light Incident Surface of InSb Detectors:	_____
Trade Secret 22:	The Method and Use of Certain Epoxies for Wicking:	_____
Trade Secret 23:	Two Step Hybridization Using a "Tack and Hypress" Approach:	_____
Trade Secret 24:	ROIC and Detector Flatness Screening Prior to Hybridization:	_____
Trade Secret 25:	Oxide Removal Prior to Hybridization:	_____
Trade Secret 26:	Vacuum Lifetime Predictions:	_____
Trade Secret 27:	Use of Alumina-filled EC2216 Adhesive:	_____
Trade Secret 28:	Process Method of Performing Vacuum Life Predictions for the Uncooled Ceramic Package:	_____
Trade Secret 29:	Method for Plating and Soldering the Microbolometer Lower Assembly and Frame Assembly:	_____
Trade Secret 30:	In Situ Solder Seal Package Assembly Process:	_____
Trade Secret 31:	Diamond Point Turning with Automated Leveling:	_____

Question 5a

Do you find by clear and convincing evidence that Indigo's misappropriation, if any, was willful and malicious?

Answer: "Yes" or "No."

Answer: NO

Question 5b

Do you find by clear and convincing evidence that FLIR's misappropriation, if any, was willful and malicious?

Answer: "Yes" or "No."

Answer: NO

Question 6

Did Defendants prove by a preponderance of the evidence that Raytheon discovered, or by the exercise of reasonable diligence should have discovered, the misappropriation before March 2, 2004?

Answer: "Yes" or "No."

Answer: NO

If you answered "Yes" to Question 6, then answer Question 7. Otherwise, skip to Question 8.

Question 7

Did Raytheon prove by a preponderance of the evidence that FLIR and/or Indigo fraudulently concealed the facts upon which Raytheon's misappropriation claim is based?

Answer: "Yes" or "No," for each of those listed below.

FLIR: _____

Indigo: _____

Question 8a

Did the Defendants prove by a preponderance of the evidence that one or more of the trade secrets you found to have been misappropriated was readily ascertainable by proper means at the time of the misappropriation?

Answer: "Yes" or No."

Answer: NO

Question 8b

If you answered "Yes" to Question 8a, identify which misappropriated trade secret(s) was(were) readily ascertainable by proper means at the time of the misappropriation by writing "Yes" on the line next to the trade secret(s):

Trade Secret 1	Use of Silver-Gold Alloy (Au/AG) Wire for the Electrical Interface	_____
Trade Secret 2:	Use of Silicone Adhesive for FPA Mounting:	_____
Trade Secret 3:	Backside and Edge Treatment (metallization or painting) of the FPA Platform/Motherboard	_____
Trade Secret 4:	Use of EC2216 Adhesive for Vacuum and Cryogenic Packaging	_____
Trade Secret 5:	Mechanical Isolation Between the FPA Platform/Motherboard and Coldfinger:	_____
Trade Secret 6:	Use of Aluminum Nitride for the Mechanical Isolator/Platform:	_____
Trade Secret 7:	The Use of Certain Methods to Control Stray Light:	_____
Trade Secret 8:	Use of UV/Ozone Ash Cleaning for Wire Bonding:	_____
Trade Secret 9:	Use of a Stiffening Element to Control Image Plane Motion:	_____
Trade Secret 10:	Use of Epoxy-Based Flat Black Paint in a Detector Dewar Assembly:	_____
Trade Secret 11:	Use of a Recessed Outer Housing Window:	_____
Trade Secret 12:	Mutlilayer Ceramic Electrical Feedthrough:	_____
Trade Secret 13:	Use of Wet Hydrogen Firing to Reduce Surface Decarburization:	_____
Trade Secret 14:	Method and Use of Sequential Vacuum Bake:	_____
Trade Secret 15:	Use of Glass-Bead-Filled Adhesive for Bond Joint Control:	_____
Trade Secret 16:	Method of InSb Passivation:	_____
Trade Secret 17:	Whole Wafer Cleanup Etch:	_____

Trade Secret 18:	Static Wafer Cleanup Etch:	
Trade Secret 19:	Use of Multi-Solvent Cleaning Process for Wire Bonding and Adhesive Bonding:	
Trade Secret 20:	Method and Use of High Energy Cleaning:	
Trade Secret 21:	Improved Passivation Process for Light Incident Surface of InSb Detectors:	
Trade Secret 22:	The Method and Use of Certain Epoxies for Wicking:	
Trade Secret 23:	Two Step Hybridization Using a "Tack and Hypress" Approach:	
Trade Secret 24:	ROIC and Detector Flatness Screening Prior to Hybridization:	
Trade Secret 25:	Oxide Removal Prior to Hybridization:	
Trade Secret 26:	Vacuum Lifetime Predictions:	
Trade Secret 27:	Use of Alumina-filled EC2216 Adhesive:	
Trade Secret 28:	Process Method of Performing Vacuum Life Predictions for the Uncooled Ceramic Package:	
Trade Secret 29:	Method for Plating and Soldering the Microbolometer Lower Assembly and Frame Assembly:	
Trade Secret 30:	In Situ Solder Seal Package Assembly Process:	
Trade Secret 31:	Diamond Point Turning with Automated Leveling:	

Question 9

Answer Question 9 only if you answered "No" to Question 1, or "No" to Question 3a for Indigo, or Question 4a for FLIR.

Did Indigo and/or FLIR prove by a preponderance of the evidence that Raytheon's misappropriation claim was brought in bad faith?

Answer "Yes" or "No" as to each Defendant:

Indigo: NO

FLIR: NO

Date: 11-24-2014

Signed: Redacted
Foreperson