

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MENTOR GRAPHICS CORPORATION, an Oregon Corporation,
Plaintiff and Counter-Defendant,
v.
EVE-USA, INC., a Delaware corporation, and
SYNOPSYS EMULATION AND VERIFICATION S.A., formed under the laws of France,
Defendants and Counter-Claimants.

Case No. 3:10-cv-00954-MO (Lead)
Case No. 3:12-cv-01500-MO
Case No. 3:13-cv-00579-MO

FINAL JUDGMENT

SYNOPSYS, INC., a Delaware Corporation, **EVE-USA, INC.**, a Delaware corporation, and **SYNOPSYS EMULATION AND VERIFICATION S.A.**, formed under the laws of France,
Plaintiffs and Counter-Defendants,
v.
MENTOR GRAPHICS CORPORATION, an Oregon Corporation.
Defendant and Counter-Claimant.

In these consolidated actions, Mentor Graphics Corporation (“Mentor Graphics”) asserted five counts of patent infringement: infringement of U.S. Patent Nos. 6,876,962 (“the ’962 patent”); 6,947,882 (“the ’882 patent”); 6,240,376 (“the ’376 patent”); 6,009,531 (“the ’531 patent”); and 5,649,176 (“the ’176 patent”). Synopsys, Inc., EVE-USA, Inc. and Synopsys Emulation and Verification S.A. (“Synopsys”) asserted two counts for declaratory relief that the ’376, ’531, and ’176 patents were invalid and not infringed, and Synopsys, Inc. asserted two

counts of infringement, namely infringement of U.S. Patent Nos. 7,069,526 (“the ’526 patent”) and 6,132,109 (“the ’109 patent”).

This action came before the Court through various summary judgment motions and a jury trial, and was resolved as follows:

U.S. Patent No. 6,240,376

As set forth in the Court’s February 21, 2014 summary judgment order, judgment is entered in favor of Mentor Graphics on Synopsys’ declaratory relief claim that the ’376 patent is invalid on the ground that assignor estoppel bars Synopsys from challenging the validity of the ’376 patent. (Dkt. 472.)

On October 10, 2014, the jury rendered its verdict. With respect to and in accordance with that verdict, judgment is entered in favor of Mentor Graphics as follows:

1. Synopsys’ use, sale or importation of ZeBu emulators using flexible probes and value change probes, in the manner set forth by Mentor Graphics at trial, directly infringes claims 1, 24, 26, 27, and 28 of U.S. Patent No. 6,240,376.
2. Synopsys’ use, sale or importation of ZeBu emulators using flexible probes and value change probes, in the manner set forth by Mentor Graphics at trial, induces infringement of claims 1, 24, 26, 27, and 28 of U.S. Patent No. 6,240,376.
3. Synopsys’ use, sale or importation of ZeBu emulators using flexible probes and value change probes, in the manner set forth by Mentor Graphics at trial, contributes to the infringement of claims 1, 24, 26, 27, and 28 of U.S. Patent No. 6,240,376.
4. Mentor Graphics is awarded \$36,417,661.00 in lost profits.

5. Mentor Graphics is also awarded royalty payments of \$242,110.45, which is 5% of \$4,842,209.00.

(Dkt. 723.)

U.S. Patent No. 5,649,176

As set forth in the Court's June 4, 2014 summary judgment order, judgment is entered in favor of Synopsys on Mentor Graphics' claims for infringement of the '176 patent on the ground that the doctrine of claim preclusion bars such claims. (Dkt. 524.) As set forth in the parties' Stipulation to Dismiss Without Prejudice Synopsys' Claims for Declarations of Invalidity and Non-Infringement of U.S. Patent Nos. 5,649,176 and 6,009,531, Synopsys' claim for declaratory judgment of invalidity and non-infringement of the '176 patent has been dismissed without prejudice. (Dkt. 729.)

U.S. Patent No. 6,009,531

As set forth in the Court's June 4, 2014 summary judgment order, judgment is entered in favor of Synopsys on Mentor Graphics' claims for infringement of the '531 patent on the ground that the doctrine of claim preclusion bars such claims. (Dkt. 524.) As set forth in the parties' Stipulation to Dismiss Without Prejudice Synopsys' Claims for Declarations of Invalidity and Non-Infringement of U.S. Patent Nos. 5,649,176 and 6,009,531, Synopsys' claim for declaratory judgment of invalidity and non-infringement of the '531 patent has been dismissed without prejudice. (Dkt. 729.)

U.S. Patent No. 6,132,109

As set forth in the Court's July 25, 2014 summary judgment order, judgment is entered in favor of Mentor Graphics on Synopsys' claims for infringement of the '109 patent on the ground that Claim 1 is invalid. (Dkt. 581).

U.S. Patent No. 7,069,526

As set forth in the Court's July 25, 2014 summary judgment order, judgment is entered in favor of Mentor Graphics on Synopsys' claims for infringement of the '526 patent on the grounds that Claims 19, 24, 28, 30, and 33 are invalid. (Dkt. 581).

U.S. Patent No. 6,876,962

As set forth in the Court's July 29, 2014 summary judgment order, judgment is entered in favor of Synopsys on Mentor Graphics' claim for infringement of the '962 patent on the grounds that Claims 3, 5, 6, and 8 are not infringed. (Dkt. 582).

U.S. Patent No. 6,947,882

As set forth in the Court's July 25, 2014 summary judgment order, judgment is entered in favor of Synopsys on Mentor Graphics claim for infringement of the '882 Patent on the grounds that Claims 2 and 4 are not infringed. (Dkt. 581.) As set forth in the Court's July 29, 2014 summary judgment order, judgment is entered in favor of Synopsys on Mentor Graphics' claim for infringement of the '882 patent on the grounds that Claims 7, 9, and 13 are invalid. (Dkt. 582.)

Therefore, IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of Synopsys on Mentor Graphics' claims for infringement of the '962, '882, '531, and '176 patents. Synopsys' claims for a declaration that the '531 and '176 patents are invalid and not

infringed have been dismissed without prejudice. It is further ORDERED AND ADJUDGED that judgment be entered in favor of Mentor Graphics on Mentor Graphics' claim for infringement of the '376 patent, on Synopsys' claims for infringement of the '109 and '526 patents, and on Synopsys' claim for a declaration that the '376 patent is not infringed and is invalid. Mentor Graphics is awarded \$36,417,661.00 in lost profits damages and a royalty payment of 5% of \$4,842,209.00, which is \$242,110.45.

The parties agree that each party shall bear its own costs, and neither party shall seek to recover attorneys' fees arising from any claims or causes of action resolved by this final judgment.

DATED: November 17, 2014

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge