

# **EXHIBIT B**

## Compelling Evidence Supports the Jury's Finding of Subjective Willfulness



### Marvell's claim of "good faith" is baseless

#### Marvell did not get an exculpatory opinion

- Dr. Wu did not receive an opinion concerning in Marvell's exposure under the CMU patents

the substance of any communications with counsel"). Further, the facts presented at trial through the testimony of Dr. Wu do not establish that he received an opinion of counsel, favorable or unfavorable, with respect to these issues. He merely testified that the "prior art," i.e., the '180 Patent and the '839 Patent, was given to Marvell's patent counsel and that he later obtained his own patents (owned by a Marvell-entity). See 12/11/12 Transcript at 323; see also

Dkt. 753 at 2-3

- Marvell's *(unsupported) argument* that Mr. Janofsky spoke with Fujitsu should be given no weight Dkt. 834 at 17
  - There is no evidence of such a communication in the record