

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**KLA-TENCOR CORPORATION, Individually
and d/b/a KLA-Tencor, Inc.,
Plaintiff,**

-vs-

Case No. A-08-CA-723-SS

**XITRONIX CORPORATION,
Defendant.**

FINAL JUDGMENT

BE IT REMEMBERED on the 1st day of November 2010 the Court called the above-captioned case, and the plaintiff KLA-Tencor Corporation appeared with counsel of record, and the defendant Xitronix Corporation appeared with its counsel of record, and a jury composed of seven legally and duly qualified jurors having been selected, this case proceeded to trial until November 5, 2010, when the the jury returned with its unanimous verdict as follows:

Question 1a. Answer: Yes

Question 1b. Answer: Yes for Claim 7; No for Claim 9

Question 2. Answer: Yes for Claim 7 based on the '611 patent and the Thermo-Probe device; No for Claims 9, 11, and 12.

Question 3. Answer: Yes for Claims 7, 9, 11, and 12.

The Court received the verdict and filed it with the Clerk. Thus,


IT IS ORDERED, ADJUDGED, and DECREED that Claim 7 of U.S. Patent No. 7,362,441 is invalid as anticipated, in accordance with the jury's verdict.

IT IS FURTHER ORDERED , ADJUDGED, and DECREED that Claims 7, 9, 11, and 12 of U.S. Patent No. 7,362,441 are invalid as obvious, in accordance with the jury's verdict.

IT IS FURTHER ORDERED , ADJUDGED, and DECREED that Claims 7, 9, 11, and 12 of U.S. Patent No. 7,362,441 are invalid due to indefiniteness.

IT IS FINALLY ORDERED , ADJUDGED, and DECREED that all costs of suit shall be paid by KLA Tencor Corporation.

SIGNED this the 31st day of January 2011.



SAM SPARKS
UNITED STATES DISTRICT JUDGE