

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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JT INTERNATIONAL S.A.  
Petitioner,

v.

FONTEM HOLDINGS 1 B.V.  
Patent Owner

U.S. Patent No. 8,365,742  
Issued: February 5, 2013  
Filed: April 5, 2011  
Inventor: Lik Hon  
Title: AEROSOL ELECTRONIC CIGARETTE

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*Inter Partes* Review No. IPR2015-01587

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**PETITION FOR *INTER PARTES* REVIEW UNDER 37 C.F.R. § 42.100**

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Exhibit List for *Inter Partes* Review of U.S. Patent No. 8,365,742

Exhibit Description	Exhibit
U.S. Patent No. 8,365,742 (“’742 patent”)	1001
Declaration of Jeffrey A. Schuster, Ph.D.	1002
U.S. Patent No. 6,155,268 (“Takeuchi”)	1003
U.S. Patent No. 6,234,167 (“Cox”)	1004
U.S. Patent No. 4,947,874 (“Brooks”)	1005
U.S. Patent No. 2,057,353 (“Whittemore”)	1006
EP 0 845 220 (“Susa”)	1007
WO 2007/078273 A1 (“Liu”)	1008
’742 Prosecution History, Preliminary Amendment	1009
’742 Prosecution History, Non-final Office Action	1010
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Fontem Litigation Joint Claim Construction Chart	1016
Claim Construction Rulings in CV 14-1645	1017
Webster’s New World Collegiate Dictionary (“detach”)	1018
Oxford American Dictionary & Thesaurus (“frame”)	1019
McGraw-Hill Dictionary of Scientific and Technical Terms (5 <sup>th</sup> ed. 1994) (“assembly”) (“component”) (“porous”)	1020

Exhibit Description	Exhibit
Academic Press Dictionary (“permeability”) (“solid”)	1021
American Heritage Dictionary (“atomize”) (“end”) (“substantial”)	1022
Merriam-Webster.com (“aerosol”) (“atomizer”) (“permeable”) (“porous”)	1023

Petitioner JT International S.A. (“Petitioner”) respectfully petitions for *inter partes* review of claims 1-3 (all claims) of U.S. Patent No. 8,365,742 (“the ‘742 patent” (Ex. 1001)) in accordance with 35 U.S.C. §§ 311-319 and 37 C.F.R. §42.100 *et seq.*

## **I. NOTICES AND STATEMENTS**

Pursuant to 37 C.F.R. § 42.8(b)(1), Petitioner identifies JT International S.A. as the real party-in-interest. For example, no other party has funded, directed or controlled this Petition. 37 C.F.R. § 42.8(b)(1).

Pursuant to 37 C.F.R. § 42.8(b)(2), Petitioner identifies the following judicial matters involving the ‘742 patent: 12-cv-5454 and 14-cv-01645. On March 10, 2015, VMR Products LLC filed a petition for *inter partes* review of claims 1, 2, and 3 (all claims) of the ‘742 patent (Case No. 2015-00859).

Pursuant to 37 C.F.R. § 42.8(b)(3), Petitioner identifies the following counsel. Lead counsel for Petitioner is Erik G. Swenson, Norton Rose Fulbright US LLP, Reg. No. 45,147, who can be reached by email at [erik.g.swenson@nortonrosefulbright.com](mailto:erik.g.swenson@nortonrosefulbright.com), by ph: 612-321-2266, by fax: 612-321-2288, and at: Norton Rose Fulbright US LLP, 3100 RBC Plaza, 60 South 6th St. Minneapolis, MN 55402. Backup counsel is George W. Jordan III, who can be reached by email at [george.jordan@nortonrosefulbright.com](mailto:george.jordan@nortonrosefulbright.com), by ph: 713-651-5423, by fax: 713-651-5246, and at: Norton Rose Fulbright US LLP, 1301

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