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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

Case IPR2020-01602

Patent 9,901,123

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PHILIP MORRIS PRODUCTS, S.A.,

Petitioner,

v.

RAI STRATEGIC HOLDINGS, INC.,

Patent Owner.

-----x

REMOTE VIDEOTAPED DEPOSITION OF STEWART M. FOX

Friday, June 25, 2021

Reported by:

Amy A. Rivera, CSR, RPR, CLR

JOB NO. 195565

RAI Strategic Holdings, Inc.
Exhibit 2011
Philip Morris Products, S.A. v. RAI Strategic Holdings, Inc.
IPR2020-01602

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June 25, 2021

1:02 p.m.

REMOTE videotaped deposition of
STEWART M. FOX held pursuant to Notice, before Amy
A. Rivera, Certified Shorthand Reporter, Registered
Professional Reporter, Certified LiveNote Reporter,
and a Notary Public of the States of New York, New
Jersey and Delaware.

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R E M O T E A P P E A R A N C E S :

LATHAM & WATKINS

Attorneys for Petitioner

555 Eleventh Street, NW

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BY: GREGORY SOBOLSKI, ESQ.

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BY: DAVID MAIORANA, ESQ.

KENNETH LUCHESI, ESQ.

A L S O P R E S E N T :

WILLIAM THOMAS, Legal Video Specialist

ANDREW WHITNER, Exhibit Technician

1 STEWART M. FOX

2 VIDEOGRAPHER: So good afternoon. My
3 name is William Thomas. I am a certified
4 legal videographer in association with TSG
5 Reporting.

6 Due to the severity of the COVID-19
7 outbreak and following the practice of
8 social distancing, I will not be in the same
9 room with the witness. Instead, I will
10 record this videotaped deposition remotely.

11 The reporter, Amy Rivera, also will
12 not be in the same room and will swear the
13 witness remotely.

14 Do all parties stipulate to the
15 validity of this video recording and remote
16 swearing and that it will be admissible in
17 the courtroom as if it had been taken
18 following Rule 30 of the Federal Rules of
19 Civil Procedures and the state's rules where
20 this case is pending?

21 MR. MAIORANA: This is Dave Maiorana.

22 Just to be clear, this is a USPTAB
23 proceeding, not a district court proceeding.

24 But the patent owner stipulates, as
25 you have just stated, to the admissibility

1 STEWART M. FOX

2 of the transcript.

3 MR. SOBOLSKI: The petitioner does
4 also.

5 VIDEOGRAPHER: All right. Thank you
6 very much.

7 So this is the start of media labeled
8 No. 1 of the video-recorded deposition of
9 Stewart M. Fox, taken in the matter Philip
10 Morris Products, S.A. versus RAI Strategic
11 Holdings, Inc. (PTAB No. IPR2020-01602.)

12 We are conducting this on Zoom. The
13 time is approximately 1:02 p.m., on June 25,
14 2021.

15 And, counsel, would you please
16 identify yourselves for this proceeding.

17 MR. MAIORANA: Dave Maiorana and Kenny
18 Luchesi from Jones Day on behalf of the
19 patent owner.

20 MR. SOBOLSKI: Greg Sobolski from
21 Latham & Watkins for the petitioner.

22 VIDEOGRAPHER: And I am William
23 Thomas, the legal video specialist from TSG.

24 The court reporter is Amy Rivera.

25 And now the court reporter may now

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