

Filed on behalf of: Philip Morris Products, S.A.

Entered: October 8, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PHILIP MORRIS PRODUCTS, S.A.,  
Petitioner,

v.

RAI STRATEGIC HOLDINGS, INC.,  
Patent Owner.

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Case IPR2020-01602  
Patent 9,901,123

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**PETITIONER'S REPLY**

**TABLE OF CONTENTS**

I.	Introduction.....	1		
II.	Claim Construction.....	2		
III.	Ground 1: Claims 1-2, 5, 7, 9, 11-12, 14-15, 18, 21, and 23-26 are Unpatentable Over Hon, Alone or with Brooks and Whittemore .....	5		
	A.	Claims 1 and 15: “the mixture ... can be wicked into contact with the electrical resistance heater and volatilized” .....	5	
		1.	The Board Correctly Found that Hon Teaches This Limitation.....	5
		2.	The Combination of Hon and Whittemore Teaches This Limitation.....	12
		3.	Petitioner’s Use of Patent Owner’s Teardown of the Ruyan Device Is Proper .....	19
	B.	Claims 1 and 15: “a puff-actuated controller within the tubular outer housing and adapted for regulating current flow through the electrical resistance heater during draw” .....	21	
		1.	The Board Correctly Determined That Hon Discloses The Claimed Controller .....	21
		2.	The Board Correctly Determined That It Would Have Been Obvious To Modify Hon With Brooks.....	22
	C.	Claims 14 and 24: “the absorbent fibrous material is in contact with the electrical resistance heater” .....	23	
	D.	Claims 11 and 23: “the cartridge is electrically conductive” .....	24	
IV.	Patent Owner Makes No Arguments Regarding Grounds 2 or 3 .....	25		
V.	Conclusion .....	26		

**TABLE OF AUTHORITIES****Page(s)****CASES**

<i>Allied Erecting &amp; Dismantling Co. v. Genesis Attachments, LLC</i> , 825 F.3d 1373 (Fed. Cir. 2016) .....	18
<i>Cross Med. Prods., Inc. v. Medtronic Sofamor Danek, Inc.</i> , 424 F.3d 1293 (Fed. Cir. 2005) .....	17
<i>Crystal Semiconductor Corp. v. TriTech Microelectronics Int'l, Inc.</i> , 246 F.3d 1336 (Fed. Cir. 2001) .....	3
<i>Ethicon LLC v. Intuitive Surgical, Inc.</i> , 847 F. App'x 901 (Fed. Cir. 2021) .....	3
<i>In re Etter</i> , 756 F.2d 852 (Fed. Cir. 1985) .....	19
<i>In re Gleave</i> , 560 F.3d 1331 (Fed. Cir. 2009) .....	7
<i>Omega Eng'g, Inc. v. Raytek Corp.</i> , 334 F.3d 1314 (Fed. Cir. 2003) .....	3
<i>PAR Pharm., Inc. v. TWI Pharms, Inc.</i> , 773 F.3d 1186 (Fed. Cir. 2014) .....	23
<i>Raytheon Co. v. Sony Corp.</i> , 727 F. App'x 662 (Fed. Cir. 2018) .....	17
<i>Ultratec, Inc. v. CaptionCall, LLC</i> , 872 F.3d 1267 (Fed. Cir. 2017) .....	14
<i>Yeda Rsch. &amp; Dev. Co. v. Mylan Pharms. Inc.</i> , 906 F.3d 1031 (Fed. Cir. 2018) .....	19, 20

**Exhibit List**

<b>Ex.</b>	<b>Description</b>
1001	U.S. Patent No. 9,901,123 (“the ’123 Patent”)
1002	File History for U.S. Patent No. 9,901,123
1003	Declaration of Stewart Fox in Support of Petition for <i>Inter Partes</i> Review of ’123 Patent (“Fox Decl.”)
1004	Curriculum Vitae of Stewart Fox
1005	Chinese Patent No. CN 2719043 (“Hon”) (including certified English translation and original Chinese version of the patent document)
1006	U.S. Patent No. 4,947,874 (“Brooks”)
1007	U.S. Patent No. 2,057,353 (“Whittemore”)
1008	European Patent Publication No. EP 0845220 (“Susa”)
1009	U.S. Patent No. 4,284,089 (“Ray”)
1010	<i>Chemical and Biological Studies on New Cigarette Prototypes that Heat Instead of Burn Tobacco</i> , R. J. Reynolds Tobacco Company Monograph (1988) (“RJR monograph”) (excerpts) (markings on exhibit appeared in the used copy purchased by counsel)
1011	U.S. Patent No. 4,793,365 (“Sensabaugh”)
1012	Letter from Robert B. Swierupski, Director, National Commodity Specialist Division, to Mark Weiss, Weiss & Moy, P.C. regarding tariff classification ruling (Aug. 22, 2006), <a href="https://rulings.cbp.gov/ruling/M85579">https://rulings.cbp.gov/ruling/M85579</a>
1013	Webpages from Beijing SBT Ruyan Technology & Development Corp., Sbtry.cn (archived at web.archive.org, 2005-2006, with affidavit)
1014	International Patent Publication No. WO 98/57556 (“Biggs”)
1015	Webpages from E-cig.com (archived at web.archive.org, 2006-2007, with affidavit)

Ex.	Description
1016	Complainants RAI Strategic Holdings, Inc., R.J. Reynolds Vapor Company, and R.J. Reynolds Tobacco Company's Revised Infringement Claim Chart for U.S. Patent No. 9,901,123 from ITC Inv. No. 337-TA-1199 (Ex. 42)
1017	RESERVED
1018	Barbara Demick, <i>A High-Tech Approach to Getting a Nicotine Fix</i> , L.A. Times (Apr. 25, 2009), <a href="https://www.latimes.com/archives/la-xpm-2009-apr-25-fg-china-cigarettes25-story.html">https://www.latimes.com/archives/la-xpm-2009-apr-25-fg-china-cigarettes25-story.html</a>
1019	Philip Morris U.S.A. interoffice correspondence from R.H. Mofitt to K. Torrence regarding operational analysis of SBT Ruyan Atomizing Nicotine Inhaler (Sept. 27, 2004), <a href="https://www.industrydocuments.ucsf.edu/docs/fnpb0219">https://www.industrydocuments.ucsf.edu/docs/fnpb0219</a>
1020	Philip Morris U.S.A. interoffice correspondence from R.H. Moffitt to K. Torrence regarding operational analysis of SBT Ruyan Atomizing Nicotine Inhaler (Sept. 27, 2004) (original)
1021	Petition for <i>Inter Partes</i> Review of U.S. Patent No. 8,365,742 Pursuant to 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42, <i>R.J. Reynolds Vapor Co. v. Fontem Holdings I B.V.</i> , IPR2016-01268 (July 2, 2016) ("RJR Pet.")
1022	Final Written Decision, <i>R.J. Reynolds Vapor Co. v. Fontem Holdings I B.V.</i> , IPR2016-01268, Paper 63 (Dec. 19, 2017) ("RJR FWD")
1023	Kevin Hatch, et al., <i>Preliminary Evaluation of a Commercially Available Electric Aerosol Inhaler from China</i> (Sept. 14, 2006) ("RJR Teardown"), available at <a href="https://www.industrydocuments.ucsf.edu/docs/nyvy0228">https://www.industrydocuments.ucsf.edu/docs/nyvy0228</a>
1024	Email exchange among Carolyn Carpenter, John Robinson et al. regarding electric cigarette, available at <a href="https://www.industrydocuments.ucsf.edu/docs/nsxy0228">https://www.industrydocuments.ucsf.edu/docs/nsxy0228</a>
1025	Hon Lik, <i>I Was Sure That the Electronic Cigarette Would be Welcomed with Open Arms</i> , Sciences et Avenir (Oct. 7, 2013) <a href="https://www.sciencesetavenir.fr/sante/i-was-sure-that-the-electronic-cigarette-would-be-welcomed-with-open-arms_26020">https://www.sciencesetavenir.fr/sante/i-was-sure-that-the-electronic-cigarette-would-be-welcomed-with-open-arms_26020</a> (updated Oct. 18, 2013)

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