

EXHIBIT A

From: Okuda, Takashi (NY)
Sent: Wednesday, February 16, 2022 4:47 PM
To: RJREDVA@jonesday.com; cmolster@molsterlaw.com
Cc: #C-M PMIEDVA - LW TEAM
Subject: RAI Strategic Holdings, Inc. v. Altria Client Services LLC - Case No. 1:20-cv-00393-LO-TCB (E.D. Va.)
Attachments: Stipulation regarding CN 667.docx

Counsel:

In light of the Court's statement in its recent summary judgment order that "the Parties are encouraged to confer with each other" as to their dispute concerning the inventorship of Chinese Utility Model Patent CN 201482667, please confirm that RJR accepts the attached stipulation. If RJR does not agree, please identify why not, and provide your availability to meet and confer on February 18, 2022.

Regards,

Takashi Okuda

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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

RAI STRATEGIC HOLDINGS, INC. and R.J.
REYNOLDS VAPOR COMPANY,

Plaintiffs and Counterclaim Defendants,

v.

ALTRIA CLIENT SERVICES LLC; PHILIP
MORRIS USA, INC.; and PHILIP MORRIS
PRODUCTS S.A.,

Defendants and Counterclaim Plaintiffs.

Case No. 1:20-cv-00393-LO-TCB

STIPULATION REGARDING CHINESE UTILITY MODEL PATENT
CN 201482667

Altria Client Services LLC, Philip Morris USA Inc. (together “Altria”) and Philip Morris Products S.A. (collectively “PMP/Altria”), and RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company (together “Reynolds”) hereby submit this proposed stipulation regarding Chinese Utility Model Patent CN 201482667 (“CN 667”).

WHEREAS, PMP/Altria asserted that Reynolds infringes one or more claims of U.S. Patent No. 10,420,374 (“’374 patent”);

WHEREAS, Reynolds asserted CN 667 as prior art to the ’374 patent under 35 U.S.C. § 102(a) (pre-AIA);

WHEREAS, Reynolds has acknowledged that the sole inventor of the ’374 patent is also the same sole inventor of CN 667;

WHEREAS, a reference that is not “by another” does not meet the requirements to be prior art under 35 U.S.C. § 102(a) (pre-AIA);

NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

1. Reynolds will not present CN 667 at trial as a prior art reference under 35 U.S.C. § 102(a) (pre-AIA).

SO ORDERED this _____ day of _____, 2022.

The Honorable Liam O’Grady
U.S. District Court Judge

Dated: February __, 2022

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Respectfully submitted,

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