

# EXHIBIT 3

**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.

Civil Action No. 1:20-cv-393-LO-TCB

**PLAINTIFFS' PROPOSED VERDICT FORM**

The below verdict form provides questions and instructions that will serve as your verdict in this case. When answering the questions and instructions, please follow the instructions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Court's Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

In the verdict form, Plaintiffs Altria Client Services LLC ("ACS"), Philip Morris USA Inc. ("PM USA") and Philip Morris Products S.A. ("PMP") may be referred to collectively as "Plaintiffs" or "PMI/Altria." Defendants RAI Strategic Holdings, Inc. ("RAISH") and R.J. Reynolds Vapor Company ("RJR") may be referred to collectively as "Defendants" or "Reynolds."

We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this Court as our verdict in this case.

**I. QUESTION NO. 1 – INFRINGEMENT**

Do you find that PMI/Altria have proven by a preponderance of the evidence that Reynolds has infringed any of the following claims? Answer “Yes” or “No” for each claim identified below.

**A. U.S. Patent No. 6,803,545**

- 1. Claim 1                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 2. Claim 4                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No

**B. U.S. Patent No. 9,814,265**

- 1. Claim 1                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 2. Claim 4                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 3. Claim 17                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No

**C. U.S. Patent No. 10,104,911**

- 1. Claim 2                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 2. Claim 11                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 3. Claim 12                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No

**D. U.S. Patent No. 10,420,374**

- 1. Claim 3                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 2. Claim 4                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 3. Claim 5                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 4. Claim 8                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 5. Claim 10                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 6. Claim 16                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 7. Claim 18                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 8. Claim 20                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 9. Claim 24                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No
- 10. Claim 25                    \_\_\_\_\_ Yes                    \_\_\_\_\_ No

**E. U.S. Patent No. 10,555,556**

1. Claim 4 \_\_\_\_\_ Yes \_\_\_\_\_ No

**II. QUESTION NO. 2 – WILLFUL INFRINGEMENT**

Do you find that PMI/Altria have proven by a preponderance of the evidence that Reynolds' infringement was willful?

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

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