

# EXHIBIT 4

**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

**REYNOLDS'S PROPOSED VERDICT FORM**

When answering the questions and filling out this Verdict Form, 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 "PMI/Altria." Defendant R.J. Reynolds Vapor Company will be referred to as "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. U.S. PATENT NO. 10,420,374**

**Question 1 – Literal Infringement:** Do you find that ACS has proven by a preponderance of the evidence that Reynolds has literally infringed any of the following claims of the '374 Patent?

Claim 3 (dependent)	_____Yes	_____No
Claim 4 (dependent)	_____Yes	_____No
Claim 5 (dependent)	_____Yes	_____No
Claim 8 (dependent)	_____Yes	_____No
Claim 10 (dependent)	_____Yes	_____No
Claim 16 (independent)	_____Yes	_____No
Claim 18 (dependent)	_____Yes	_____No
Claim 20 (dependent)	_____Yes	_____No
Claim 24 (dependent)	_____Yes	_____No
Claim 25 (dependent)	_____Yes	_____No

**Question 2 – Infringement by the Doctrine of Equivalents:** Do you find that ACS has proven by a preponderance of the evidence that Reynolds infringed by the doctrine of equivalents any of the following claims of the '374 Patent?

Claim 16 (independent)	_____Yes	_____No
Claim 18 (dependent)	_____Yes	_____No
Claim 20 (dependent)	_____Yes	_____No
Claim 24 (dependent)	_____Yes	_____No
Claim 25 (dependent)	_____Yes	_____No

**Question 3 – Invalidity:** Do you find that Reynolds has proven by clear and convincing evidence that any of the following claims of the '374 Patent are invalid as anticipated or obvious?

Claim 3 (dependent)	_____ Yes	_____ No
Claim 4 (dependent)	_____ Yes	_____ No
Claim 5 (dependent)	_____ Yes	_____ No
Claim 8 (dependent)	_____ Yes	_____ No
Claim 10 (dependent)	_____ Yes	_____ No
Claim 16 (independent)	_____ Yes	_____ No
Claim 18 (dependent)	_____ Yes	_____ No
Claim 20 (dependent)	_____ Yes	_____ No
Claim 24 (dependent)	_____ Yes	_____ No
Claim 25 (dependent)	_____ Yes	_____ No

**Answer Question 4 below only if you have found at least one claim of the '374 Patent is infringed and not invalid. If there are no such claims, move on to Part II.**

**Question 4 – Damages:** What sum of money, if any, did ACS prove by a preponderance of the evidence would reasonably compensate it if paid now in cash for any past infringement by Reynolds of the '374 Patent? Provide the amount below in dollars and cents. If you find ACS is entitled to no damages, enter a "0" amount.

\$ \_\_\_\_\_

**II. U.S. PATENT NO. 6,803,545**

**Question 1 – Literal Infringement:** Do you find that PM USA has proven by a preponderance of the evidence that Reynolds has literally infringed any of the following claims of the '545 Patent?

Claim 1 \_\_\_\_\_ Yes \_\_\_\_\_ No  
(independent)

Claim 4 \_\_\_\_\_ Yes \_\_\_\_\_ No  
(dependent)

**Question 2 – Invalidity:** Do you find that Reynolds has proven by clear and convincing evidence that any of the following claims of the '545 Patent are invalid for lack of written description?

Claim 1 \_\_\_\_\_ Yes \_\_\_\_\_ No  
(independent)

Claim 4 \_\_\_\_\_ Yes \_\_\_\_\_ No  
(dependent)

**Answer Question 3 below only if you have found at least one claim of the '545 Patent is infringed and not invalid. If there are no such claims, move on to Part III.**

**Question 3 – Damages:** What sum of money, if any, did PM USA prove by a preponderance of the evidence would reasonably compensate it if paid now in cash for any past infringement by Reynolds of the '545 Patent? Provide the amount below in dollars and cents. If you find PM USA is entitled to no damages, enter a "0" amount.

\$ \_\_\_\_\_

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