

**IN THE 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

**REYNOLDS'S NOTICE PURSUANT TO 35 U.S.C. § 282**

Pursuant to the requirements of 35 U.S.C. § 282, RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company (“Reynolds”) hereby give Notice of the following prior art upon which Reynolds may rely upon at trial as evidence of invalidity and/or state of the art relating to United States Patent Nos. 9,814,265 (“the ’265 patent”), 10,555,556 (“the ’556 patent”), 10,104,911 (“the ’911 patent”), 6,803,545 (“the ’545 patent”), 10,420,374 (“the ’374 patent”) (collectively the “Asserted Patents”). This notice is made based upon information available to Reynolds as of the date hereof, and Reynolds reserves the right to supplement this notice as appropriate. Reynolds may also rely on the person(s) listed below as being prior inventors or having prior knowledge of or as having previously used or offered for sale the invention of the Asserted Patents.

In addition, Reynolds has already provided notice to Altria Client Services LLC (“ACS”), Philip Morris USA, Inc. (“PM USA”), and Philip Morris Products S.A. (“PMP”) (collectively,

“PM/Altria”) through the pleadings and filings in this case to date, the identity of patents and publications within the ambit of 35 U.S.C. § 282, including but not limited to Reynolds’s responses, including supplemental responses, to Interrogatory No. 2 and the Expert Reports of Travis Blalock, Dr. Thomas Fuller, Kelly Kodama, and Dr. Jeffrey C. Suhling (including all publications, patents or systems cited therein, relied upon or reviewed by them), which are incorporated herein by reference.

The following listing of identified patents and publications is provided solely pursuant to the statutory provisions of 35 U.S.C. § 282. The fact that the following patents and publications are listed in this Notice does not reflect that any number of these items will be ultimately used by Reynolds at trial. This Notice is not a representation by Reynolds that the teachings of some number of the listed references must be combined for the jury to determine that the Asserted Patents are invalid under 35 U.S.C. § 103.

In addition to these materials identified in this Notice, Reynolds may also rely on and reserves the right to present testimony by its experts Travis Blalock, Dr. Thomas Fuller, Kelly Kodama, and Dr. Jeffrey C. Suhling and their personal knowledge of the matters that are subject to this Notice, including the prior art to the Asserted Patents, the state of the art, anticipation of the Asserted Patents, and obviousness of the Asserted Patents.

Reynolds may also rely on and reserves the right to present testimony by those persons identified as witness on its trial witness list regarding the prior art, which may be evidence of the prior art, state of the art, anticipation, and obviousness of the Asserted Patents.

**I. PATENTS**

<b>Number</b>	<b>Country</b>	<b>Inventor(s)</b>	<b>Issue Date</b>	<b>Page Numbers</b>
CA 2502171C	Canada	Woodson et al.	1/15/2013	DEF_PUB_EDVA000007304-000007344
CN 100581401C	China	Xiu	1/20/2010	RJREDVA_001642877-001642903
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CN 201051862Y	China	Tao et al.	4/30/2008	RJREDVA_001483625-001483633
CN 201054788Y	China	Pan et al.	4/30/2008	RJREDVA_001483634-001483640
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CN 201079011Y	China	Han	7/2/2008	RJREDVA_001488481-001488505
CN 201085044Y	China	Fang	7/16/2008	RJREDVA_001495078-001495086
CN 201104488Y	China	Zhu	8/27/2008	RJREDVA_001523833-001523865
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CN 201490998U	China	Chen et al.	5/26/2010	RJREDVA_001483688-001483694
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CN 202714191U	China	Zhang	2/6/2013	RJREDVA_001626418-001626423
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CN 203952419U	China	Liu	11/26/2014	RJREDVA_001483717-001483729
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