

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

PHILIP MORRIS PRODUCTS S.A.

Plaintiff,

v.

R.J. REYNOLDS VAPOR COMPANY

Defendant.

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

**PHILIP MORRIS' MOTION *IN LIMINE* TO PRECLUDE REYNOLDS FROM  
ARGUING THAT THE PATENT OFFICE EXAMINER ERRED**

Philip Morris respectfully moves this Court *in limine* to preclude Reynolds from presenting arguments that the Patent Office Examiner reviewing the '911 application: (1) did not consider the "Xia" reference and (2) "used the wrong wording" or otherwise made a mistake when describing Figures 5 and 6.

The grounds for this motion are set forth in the accompanying Memorandum In Support of Philip Morris's Motion *in Limine* to Preclude Reynolds from Arguing that the Patent Office Examiner Erred. A proposed order granting the requested relief is attached.

Dated: June 13, 2022

Respectfully submitted,

By: /s/ Maximilian A. Grant

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of June, 2022, a true and correct copy of the foregoing was served using the Court's CM/ECF system, with electronic notification of such filing to all counsel of record.

*/s/ Maximilian A. Grant* \_\_\_\_\_

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