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.

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

VERDICT FORM

I. U.S. PATENT NO. 9,814,265 (Compact Heater)

Question 1 – Literal Infringement: Do you find that Philip Morris has proven by a preponderance of the evidence that Reynolds has literally infringed any of the following claims of the '265 Patent?

VUSE Alto

Claim 1 (independent)	✓ Yes	____ No
Claim 4 (dependent)	✓ Yes	____ No

Question 2 – Infringement by the Doctrine of Equivalents: Do you find that Philip Morris has proven by a preponderance of the evidence that Reynolds infringed by the doctrine of equivalents any of the following claims of the '265 Patent?

VUSE Alto

Claim 1 (independent)	____ Yes	____ No
Claim 4 (dependent)	____ Yes	____ No

Answer Question 3 below only if you have found at least one claim of the '265 Patent is infringed. If there are no such claims, move on to Part II.

Question 3 – Damages: What sum of money did Philip Morris prove by a preponderance of the evidence would be adequate compensation for Reynolds's infringement of the '265 patent. Provide the amount below in dollars and cents.

$ 8 million

(Running Royalty for Past Infringement of the '265 Patent through December 31, 2021)

II. U.S. PATENT NO. 10,104,911 (Leakage Preventer)

Question 1 – Literal Infringement: Do you find that Philip Morris has proven by a preponderance of the evidence that Reynolds has literally infringed any of the following claims of the '911 Patent with respect to any of the following products?

VUSE Solo G2

Claim 1 (independent)	✓ Yes	___ No
Claim 11 (dependent)	✓ Yes	___ No
Claim 13 (dependent)	✓ Yes	___ No

VUSE Alto

Claim 1 (independent)	___ Yes	✓ No
Claim 2 (dependent)	___ Yes	✓ No
Claim 11 (dependent)	___ Yes	✓ No
Claim 12 (dependent)	___ Yes	✓ No

Question 2 – Infringement by the Doctrine of Equivalents: Do you find that Philip Morris has proven by a preponderance of the evidence that Reynolds has infringed by the doctrine of equivalents any of the following claims of the '911 Patent with respect to VUSE Alto only?

VUSE Alto

Claim 1 (independent)	____ Yes	✓ No
Claim 2 (dependent)	____ Yes	✓ No
Claim 11 (dependent)	____ Yes	✓ No
Claim 12 (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 '911 Patent are invalid as obvious?

Claim 1 (independent)	____ Yes	✓ No
Claim 2 (dependent)	____ Yes	✓ No
Claim 11 (dependent)	____ Yes	✓ No
Claim 12 (dependent)	____ Yes	✓ No
Claim 13 (dependent)	____ Yes	✓ No

Answer Question 4 below only if you have found at least one claim of the '911 Patent is infringed and not invalid. If there are no such claims, you have completed your deliberations and the foreperson should sign this verdict form.

Question 4 – Damages: What sum of money did Philip Morris prove by a preponderance of the evidence would be adequate compensation for Reynolds's infringement of the '911 patent. Provide the amount below in dollars and cents.

$ 2,759,755

(Running Royalty for Past Infringement of the '911 Patent through December 31, 2021)

Please sign the form below.

Jury Foreperson (signed): _____ Date: June 15 2022

Foreperson's Name (printed): _