



EXHIBIT C

Case Clip(s) Detailed Report
Wednesday, June 08, 2022, 7:24:03 PM

PMI v. RJR EDVa Trial

 **Figlar, James (Vol. 01) - 09/25/2020**

1 CLIP (RUNNING 00:01:49.451)

 Figlar,J_092520_ALL_TRIMMED

JF-ALL-FINAL 5 SEGMENTS (RUNNING 00:01:49.451)



1. PAGE 49:04 TO 49:15 (RUNNING 00:00:42.024)

04 Q Why -- why did Reynolds submit a PMT for the
 05 Solo and the Vibe?
 06 A Well, one, because, you know, the Deeming
 07 Rule came down in 2016. We did not have any vapor
 08 products on the product. In fact, there were
 09 virtually -- as far as I could ever find, there were
 10 really no vapor products on the market in 2007 which
 11 would have been a grand -- which would have allowed
 12 then a grandfathered status which would then open up
 13 the SE path, and so, therefore, the only path
 14 available for vapor products really is the PMTA
 15 path. So that's the path we had to go down.

2. PAGE 50:17 TO 50:18 (RUNNING 00:00:10.046)

17 Q Okay. So how much money did Reynolds spend
 18 on the Solo PMT?

3. PAGE 50:21 TO 51:07 (RUNNING 00:00:30.060)

21 A Over the -- over the course of the years,
 22 over \$35 million, for sure. Really in a very short
 00051:01 time frame. That's our oldest set of products.
 02 Those are the products that have been on the market
 03 the longest, and we certainly had collected an awful
 04 lot of information on there but certainly well over
 05 \$35 million, I think. If my memory is right, it's
 06 right around 35 or \$37 million I think is the way
 07 we've tallied it up at this point.

4. PAGE 51:18 TO 51:19 (RUNNING 00:00:06.801)

18 Q Okay. And how much did Reynolds spend on
 19 the PMT for the Vibe?


5. PAGE 51:22 TO 52:03 (RUNNING 00:00:20.520)

22 A For Vibe, if my memory serves, probably
 00052:01 close to 11 or \$12 million because we're able to use
 02 some bridging from Solo for that application, which
 03 the FDA allows in their guidance.


TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 00:01:49.451)

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Wednesday, June 08, 2022, 7:31:01 PM

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 Figlar, James (Vol. 01) - 06/24/2021

1 CLIP (RUNNING 00:04:55.711)

 Figlar,J_062421_ALL_TRIMMED



JF-ALL2-FINAL 15 SEGMENTS (RUNNING 00:04:55.711)

1. PAGE 6:20 TO 6:21 (RUNNING 00:00:00.810)

20 Q. Can you please just state your
21 full name and address for the record.

2. PAGE 6:22 TO 6:22 (RUNNING 00:00:01.549)

22 A. James Neil Figlar. I'm currently

3. PAGE 7:03 TO 7:05 (RUNNING 00:00:08.690)

03 Q. And who's your employer?
04 A. My employer was R.J. Reynolds. I
05 retired just late last year at the end of 2020.

4. PAGE 132:21 TO 133:01 (RUNNING 00:00:06.427)

21 Q. Does Reynolds keep track of Philip
22 Morris and Altria patents?
00133:01 A. Yes.

5. PAGE 133:03 TO 133:10 (RUNNING 00:00:24.592)

03 A. And not to just -- yes, Altria, we
04 look at the full patent landscape, depending on
05 the category. So, S'mores in there, NJoy, all
06 the big players, all the manufacturers, we keep
07 a close eye on the patent literature, and it's
08 very active. Reynolds has lots of patents as
09 well. So, I mean, we're all active in patenting
10 technology.

6. PAGE 133:11 TO 133:13 (RUNNING 00:00:06.237)

11 Q. So Reynolds was aware of all the
12 patents asserted in this case before the case
13 was filed then, correct?

7. PAGE 133:16 TO 134:02 (RUNNING 00:00:29.455)

16 A. I mean, in terms of the -- the
17 specific ones, probably so. We've probably seen
18 them. We've probably seen all of these patents,
19 yeah.
20 Q. These specific patents you mean?
21 A. In all likelihood they were known
22 to or had been seen by people at Reynolds.
00134:01 Q. How many people at Reynolds review
02 competitor patents?

8. PAGE 134:05 TO 134:17 (RUNNING 00:00:42.576)

05 A. I don't know how many people are
06 actively doing it on a daily basis, but you have
07 part of Reynolds' legal team looks at that. I
08 know we have at least two lawyers that are
09 in-house lawyers for Reynolds that are in
10 patents. And then plus we have outside counsel
11 that provides information.
12 And then typically what happens,

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13 and what used to happen at least on a monthly
14 basis, is every time there's a new iteration of
15 patent publications, the lawyers would compile
16 it and send it out to the scientists and people
17 like myself and others --

9. PAGE 135:06 TO 135:15 (RUNNING 00:00:23.320)

06 A. There is a process and an email
07 goes out and you have the opportunity to open up
08 that file and look at all the patents that have
09 issued in that month by all the competitors in
10 the category. And that's all it is, just an
11 information sharing exercise, is what I'm
12 talking about.

13 Q. Understood. Who sends out that
14 email?

15 A. In-house, in-house counsel.

10. PAGE 137:06 TO 137:08 (RUNNING 00:00:09.512)

06 Q. Who received this email?

07 A. Most -- a lot of people in R&D
08 working on technology.

11. PAGE 137:14 TO 137:22 (RUNNING 00:00:27.488)

14 Q. And this is just something the
15 legal team would just send out on their own
16 every month?

17 A. I mean, it was simply just what
18 published in the US Patent and World Patent
19 literature on that basis, based on our product
20 category. So it was literally the abstracts of
21 the patents.

22 Q. Okay. And why would they send it?

12. PAGE 138:07 TO 139:05 (RUNNING 00:01:00.775)

07 A. Again, this is not an evaluation.
08 This is simply -- it was like broadcast news.
09 Here's what came out of the patent offices, WTO
10 and US Patent Office. Here are the abstracts,
11 here's the categories. Our patents would be in
12 there and everybody else in the industry is what
13 I'm talking about.

14 So on a quarterly basis you would
15 get this report. It was just a compilation of
16 the abstracts of the patents, so that people had
17 an awareness of what was happening in the
18 business.

19 I mean, a lot of them, most of the
20 patents actually is about how to make a better
21 cigarette maker, how to make a new flywheel spin
22 faster for cigarette makers and things like
00139:01 that, but it covered the whole category. So
02 that's how you become aware of what's happening
03 from a patent perspective.

04 Q. And why do you think this email
05 was circulated within Reynolds?

13. PAGE 139:10 TO 139:16 (RUNNING 00:00:27.025)

10 A. Again, it is information as a
11 technology development company you need to be
12 aware of. Where are people, what are we getting
13 cleared, what are people doing? It's a good
14 place to get ideas on where the industry is
15 going, where technology is going. It's

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16 important to be up to date on patents.

14. PAGE 213:14 TO 213:15 (RUNNING 00:00:07.071)

14 Q. How much money do you estimate
15 Reynolds spent on the PMTA for the Alto?

15. PAGE 214:02 TO 214:07 (RUNNING 00:00:20.184)

02 A. Okay. In terms of our overall
03 budget over the course of the last five years,
04 it has been in the hundreds of millions of
05 dollars for all of Vuse products. So a portion
06 of that, certainly tens of millions. Tens of
07 millions for Alto, for sure.

TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 00:04:55.711)

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