Exhibit 6

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

PHILIP MORRIS PRODUCTS S.A., PHILIP MORRIS USA, INC., ALTRIA CLIENT SERVICES LLC,
Appellants

v.

INTERNATIONAL TRADE COMMISSION,
Appellee

RAI STRATEGIC HOLDINGS, INC., R. J. REYNOLDS VAPOR COMPANY, R.J. REYNOLDS TOBACCO COMPANY,
Intervenors

2022-1227

Appeal from the United States International Trade Commission in Investigation No. 337-TA-1199.

ON MOTION

Before LOURIE, PROST, and TARANTO, *Circuit Judges*.

PER CURIAM.

O R D E R

The appellants move pursuant to Rule 8 of the Federal Rules of Appellate Procedure to stay, pending appeal, remedial orders issued by the International Trade Commission. The Commission and the intervenors oppose.

Rule 8(a)(2) of the Federal Rules of Appellate Procedure authorizes this court to grant a stay pending appeal. Our determination is governed by four factors: (1) whether the movant has made a strong showing of a likelihood of success on the merits; (2) whether the movant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies. *See Nken v. Holder*, 556 U.S. 418, 434 (2009).

Based on the papers submitted, including the letter filed under Federal Rule of Appellate Procedure 28(j), and without prejudicing the ultimate disposition of the appeal, we conclude that the appellants have not established that a stay pending this appeal is warranted here.

Accordingly,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

January 25, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court