

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

RAI STRATEGIC HOLDINGS, INC. AND R.J.
REYNOLDS VAPOR COMPANY

Plaintiffs-Counterclaim
Defendants,

v.

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

Defendants-Counterclaim
Plaintiffs.

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

JOINT STIPULATION OF UNCONTROVERTED FACTS

Altria Client Services LLC (“ACS”), Philip Morris USA, Inc. (“PM USA”), and Philip Morris Products S.A. (“PMP”) (collectively, “Plaintiffs”) and RAI Strategic Holdings, Inc. (“RAISH”) and R.J. Reynolds Vapor Company (“RJR”) (collectively “Defendants”), by and through their respective counsel, hereby jointly stipulate and agree as follows with respect to this litigation. This stipulation and the information herein shall be used only in this litigation, shall not be used for any other purpose, and shall not be discoverable or admissible in any other proceeding, absent agreement of all Parties.

1. ACS is a Virginia corporation with offices at 6601 West Broad Street, Richmond, Virginia 23230.

2. PM USA is a Virginia corporation with offices at 6601 West Broad Street, Richmond, Virginia 23230.

3. PMP is a societe anonyme duly existing under the laws of Switzerland with a corporate address at Quai Jeanrenaud 3, 2000 Neuchâtel, Switzerland.

4. RJRV is a North Carolina corporation with its principal place of business located at 401 North Main Street, Winston-Salem, North Carolina 27101.

5. PMP has been the owner and assignee of U.S. Patent No. 9,814,265 (“the ’265 Patent”) since at least the filing of PMP’s counterclaims in this case.

6. PMP has been the owner and assignee of U.S. Patent No. 10,104,911 (“the ’911 Patent”) since at least the filing of PMP’s counterclaims in this case.

7. PMP has been the owner and assignee of U.S. Patent No. 10,555,556 (“the ’556 Patent”) since at least the filing of PMP’s counterclaims in this case.

8. PM USA has been the owner and assignee of U.S. Patent No. 6,803,545 (“the ’545 Patent”) since at least the filing of PM USA’s counterclaim in this case.

9. ACS has been the owner and assignee of U.S. Patent No. 10,420,374 (“the ’374 Patent”) since at least the filing of ACS’ counterclaims in this case.

10. The VUSE Solo was launched in March 2013.

11. The VUSE Vibe was launched in a test market in Michigan in April 2015 and nationally released in July 2016.

12. The VUSE Ciro was launched in July 2016 as Solo+ and nationally released as Ciro in October 2017.

13. The VUSE Alto was launched in August 2018.

14. PM USA is the successor in interest to Philip Morris Incorporated with respect to the '545 Patent.

Dated: May 21, 2021

Respectfully submitted,

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