

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

RAI STRATEGIC HOLDINGS, INC. and  
R.J. REYNOLDS VAPOR COMPANY, )  
)  
Plaintiffs and Counterclaim Defendants, )  
)  
v. )  
)  
ALTRIA CLIENT SERVICES LLC; PHILIP )  
MORRIS USA, INC.; and PHILIP MORRIS )  
PRODUCTS S.A., )  
)  
Defendants and Counterclaim Plaintiffs. )  
)  
)  
\_\_\_\_\_ )

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

**MOTION FOR PARTIAL SUMMARY JUDGMENT BY PLAINTIFFS  
RAI STRATEGIC HOLDINGS, INC. AND R.J. REYNOLDS VAPOR COMPANY**

Plaintiffs RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company move under Rule 56 of the Federal Rules of Civil Procedure for summary judgment in their favor on the following issues arising from Defendants’ counterclaims: (1) invalidity of U.S. Patent No. 10,420,374; (2) non-infringement of U.S. Patent No. 10,104,911; and (3) no willful infringement of any asserted patent.

Counsel for Reynolds confirmed with counsel for Counterclaim-Plaintiffs on June 1-2 that Counterclaim-Plaintiffs will oppose Reynolds’s motion.

The Court should enter the requested summary judgment for the reasons stated in the accompanying brief and supporting materials.

Dated: June 2, 2021

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of June, 2021, 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/ David M. Maiorana

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