

EXHIBIT 16

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VIA EMAIL

John Michalik
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Re: RAI Strategic Holdings, Inc. et al. v. Altria Client Services LLC, et al.,
No. 1:20-cv-393-LO-TCB (E.D. Va.)

Dear Counsel:

We write to object to Reynolds’ incomplete and misleading translation of CN201482667 produced at RJREDVA_001626584-598.

Reynolds’ translation suggests different inventorship between CN201482667 and the ’374 patent. That is not the case. Specifically, Reynolds’ translation identifies the inventor as “Liao Laiying.” However, as shown on the face of the original reference, the sole inventor of CN201482667 is the same as the inventor of the ’374 patent, Loi Ying Liu. It appears Reynolds’ translation is based on a Mandarin Romanization of the inventor’s name. Yet, based on a Cantonese Romanization, the inventor’s name as identified on CN201482667 is “Loi Ying Liu,” as it appears on the ’374 patent. This is of course a material difference given that common inventorship renders CN201482667 not prior art under 35 U.S.C. § 102(a) (or any other provision).

Although the parties are scheduled to exchange objections at a later date, we write now to provide Reynolds with an opportunity to produce a complete and accurate translation of CN201482667 before discovery closes. PMI/Altria reserve all rights, including the right to strike any reliance by Dr. Blalock on CN201482667 as prior art to the ’374 patent.

Sincerely,

/s/ Jennifer Koh

Jennifer Koh
of LATHAM & WATKINS LLP