

EXHIBIT 3

**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.

Case No.: 1:20cv00393-LO-TCB

**PLAINTIFF R.J. REYNOLDS VAPOR COMPANY'S SEVENTH SET OF REQUESTS
FOR ADMISSION TO DEFENDANT PHILIP MORRIS PRODUCTS S.A.
(NOS. 294-343)**

Pursuant to Federal Rules of Civil Procedure 26 and 36, Plaintiff R.J. Reynolds Vapor Company ("RJR"), by its undersigned attorneys, hereby requests Defendant Philip Morris Products S.A. ("PMP") answer each request for admission set forth below in accordance with the Definitions and Instructions contained herein, and serve such answers on RJR's counsel, Jones Day, 901 Lakeside Avenue, Cleveland, Ohio 44114, within fourteen days as required by the Court's March 12, 2021, Order (Dkt. No. 483).

DEFINITIONS

1. "ACS" shall each mean and refer to Altria Client Services LLC, including without limitation all of its corporate locations, and all predecessors, predecessors-in-interest, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint venture, licensing agreements, or partnership relationships with ACS, and others acting on behalf of ACS.

2. “PM USA” shall each mean and refer to Philip Morris USA, Inc., including without limitation all of its corporate locations, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint venture, licensing agreements, or partnership relationships with PM USA, and others acting on behalf of PM USA.

3. “PMP” shall each mean and refer to Philip Morris Products S.A., including without limitation all of its corporate locations, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint venture, licensing agreements, or partnership relationships with PMP, and others acting on behalf of PMP.

4. “Product” or “Products” shall mean a machine, manufacture, apparatus, device, instrument, mechanism, appliance, composition of matter, assemblage of components/parts (either individually or collectively), process, or method which are designed to function together electrically, mechanically, chemically, or otherwise, to achieve a particular function or purpose, including those offered for sale, sold, or under development.

5. “The ’265 patent” means United States Patent No. 9,814,265.

6. “The ’556 patent” means United States Patent No. 10,555,556.

7. “The ’911 patent” means United States Patent No. 10,104,911.

8. “VEEV E-Cigarette Product ” or “VEEV E-Cigarette Products” shall mean the e-vapor product platform made by or on behalf of PMP (as described further at <https://www.pmi.com/smoke-free-products/veev-innovating-e-vapor-technology>).

INSTRUCTIONS

1. The singular form of a word should be interpreted in the plural as well. Any pronoun shall be construed to refer to the masculine, feminine, or neutral gender as in each case is most appropriate. The words “and” and “or” shall be construed conjunctively or disjunctively,

whichever makes the request most inclusive. The word “including” shall be without limitation. The terms “each” and “any” shall mean any and all.

2. In the event that PMP objects to any request on the ground that it is vague and/or ambiguous, identify the particular words, terms or phrases that are asserted to make such request vague and/or ambiguous and specify the meaning actually attributed to PMP by such words for purposes of PMP’s response thereto.

3. Pursuant to Federal Rules of Civil Procedure 36, PMP’s answers must either admit the matter in question, specifically deny it, or state in detail why PMP cannot truthfully admit or deny it. A denial must fairly respond to the substance of the matter, and when good faith requires that PMP qualify an answer or deny only a part of a matter, PMP’s answers must specify the part admitted and qualify or deny the rest. PMP may assert lack of knowledge or information as a reason for failing to admit or deny only if PMP states that PMP has made a reasonable inquiry and that the information PMP knows or can readily obtain is insufficient to enable PMP to admit or deny.

4. Because these discovery requests are continuing under Federal Rule of Civil Procedure 26(e), PMP remains under a duty to supplement or amend any response herein.

REQUESTS FOR ADMISSION

REQUEST NO. 294

Admit that the VEEV E-Cigarette Product does not use any of the inventions claimed in the ’265 Patent.

REQUEST NO. 295

Admit that the VEEV E-Cigarette Product does use one or more of the inventions claimed in the ’265 Patent.

REQUEST NO. 296

Admit that the VEEV E-Cigarette Product does not incorporate any of the inventions claimed in the '265 Patent.

REQUEST NO. 297

Admit that the VEEV E-Cigarette Product does incorporate one or more of the inventions claimed in the '265 Patent.

REQUEST NO. 298

Admit that the VEEV E-Cigarette Product does not practice any of the inventions claimed in the '265 Patent.

REQUEST NO. 299

Admit that the VEEV E-Cigarette Product does practice one or more of the inventions claimed in the '265 Patent.

REQUEST NO. 300

Admit that the VEEV E-Cigarette Product does not use any of the inventions claimed in the '911 Patent.

REQUEST NO. 301

Admit that the VEEV E-Cigarette Product does use one or more of the inventions claimed in the '911 Patent.

REQUEST NO. 302

Admit that the VEEV E-Cigarette Product does not incorporate any of the inventions claimed in the '911 Patent.

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