

Exhibit 25

CONFIDENTIAL BUSINESS INFORMATION – SUBJECT TO PROTECTIVE ORDER

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

**REBUTTAL EXPERT REPORT OF JOSEPH C. McALEXANDER III
REGARDING VALIDITY OF U.S. PATENT NUMBERS:
6,803,545 AND 10,420,374**

**RJR STRATEGIC HOLDINGS, INC. AND R.J. REYNOLDS VAPOR COMPANY
vs.
ALTRIA CLIENT SERVICES LLC; PHILIP MORRIS USA INC.; and
PHILIP MORRIS PRODUCTS S.A.**

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

March 24, 2021

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8.2 Prior Art Summary⁵³²

8.2.1 Chinese Utility Model Patent Publication No. CN 201482667 U (“Liao”)

556. Chinese Utility Model Patent Publication No. CN 201482667 U (“Liao”) entitled “Electronic atomizer.” The inventor of this reference is the same inventor as the ’374 Patent.

557. Liao does not describe the internal functioning or details of its airflow sensing apparatus. Liao provides only that:

The sensing apparatus 4 is a capacitive airflow sensor. The airflow sensing switch circuit 21 is configured to sense smoking actions of a user, and the circuit provides an airflow sensing function by detecting a capacitance value of an external capacitive airflow sensor C1. When the user smokes, an airflow is generated. When the airflow flows through the capacitive airflow sensor C1, the capacitance value of the capacitive airflow sensor C1 changes, thereby triggering the airflow sensing switch circuit 21.⁵³³

558. Liao’s electronic atomizer includes a housing and a processing chip, a heating apparatus, a sensing apparatus, an airflow sensor and a battery in the housing.⁵³⁴ Liao does not disclose the material for the housing 1.

8.2.2 U.S. Patent No. 8,661,910 (“McLaughlin”)

559. U.S. Patent No. 8,661,910 (“McLaughlin”) entitled “Capacitive Sensor” relates to capacitive air flow sensors for use in an oxygen conserving delivery system for general aviation.⁵³⁵

⁵³² Dr. Blalock provides a “summary” of U.S. Patent No. 5,134,886 (“Ball”) at paragraphs 273-277 of his report, but does not rely on the reference for any of his combinations or otherwise provide any analysis regarding the reference. I reserve all rights to amend, modify, or supplement my opinions should Dr. Blalock be permitted to rely on the reference in the future.

⁵³³ Liao, at ¶ [0016].

⁵³⁴ Liao, at ¶ [0004], [0011].

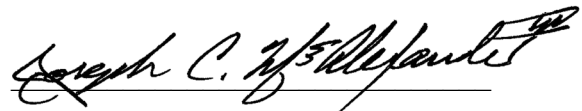
⁵³⁵ McLaughlin, at 2:13-17 (“[W]hen the subject invention is used with an oxygen delivery system for general aviation”); 2:67-3:4 (“In a preferred application of the preferred embodiment of the invention ... as part of a supplemental oxygen conserving delivery system for use in general aviation.”); (“Alternatively, the power source may be external to the oxygen delivery system such as the typical 12 volt power available in general aviation aircraft”); 8:21-22

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10 CONCLUDING REMARKS

1012. I understand that any further finding of the Court regarding claim construction, or receipt of any additional information, may require me to amend or supplement my opinions. If amendments or supplements to this report are necessary, I will provide those in a timely manner.

Dated: March 24, 2021

A handwritten signature in black ink, reading "Joseph C. McAlexander III". The signature is written in a cursive style and is positioned above a horizontal line.

Joseph C. McAlexander III