

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. 1:20-cv-00393-LO-TCB

NOTICE OF FILING STIPULATIONS

Plaintiffs RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company (collectively, “Reynolds”) hereby give notice that they have made the following stipulations in connection with pending *inter partes* review proceedings challenging two of the patents asserted by Defendants in this litigation:

1. Reynolds has stipulated that, if the Patent Trial and Appeal Board (“PTAB”) institutes the pending *inter partes* review petition in IPR 2021-00585 challenging the patentability of claims 1, 3-9, 15, 18, 20-21, and 25-26 of U.S. Patent Number 10,555,556, then Reynolds will not pursue as to the challenged claims any ground raised or that could have been reasonably raised in that IPR in this litigation (EDVA No. 1:20-cv-00393). See Exhibit 1.

2. Reynolds has stipulated that, if the PTAB institutes the pending *inter partes* review petition in IPR 2021-00586 challenging the patentability of claims 1 and 9-13 of U.S. Patent Number 10,104,911, then Reynolds will not pursue as to the challenged claims any

ground raised or that could have been reasonably raised in that IPR in this litigation (EDVA No. 1:20-cv-00393). *See* Exhibit 2.

3. Reynolds notified the PTAB of these stipulations and requested authorization to memorialize the stipulations in the PTAB files to make them of record in the pending IPRs. The PTAB authorized Reynolds “to file the stipulation into the records of IPR2021-00585 and IPR2021-00586 *only after the stipulation has been filed in the district court.*” *See* Exhibit 3 (correspondence with the PTAB).

4. Consequently, Reynolds hereby files the stipulations (*see* Exhibits 1-3) as directed by the PTAB.

Dated: July 23, 2021

Respectfully submitted,

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*Counsel for Plaintiffs RAI Strategic Holdings,  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of July, 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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