

EXHIBIT 4

(PUBLIC)

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**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 Action No. 1:20-cv-393

**SUPPLEMENTAL EXPERT REPORT OF JOHN ABRAHAM RELATING TO U.S.
PATENT NO. 10,104,911**

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1. “The aerosol generating system according to claim 1, wherein the leakage prevention means comprises two cavities in the wall of the aerosol-forming chamber.”25

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I. INTRODUCTION

1. I have been retained as an expert by counsel on behalf of Plaintiffs in connection with the above-captioned lawsuit to provide my analyses and conclusions on certain technical aspects of this dispute.¹

2. I understand that my opening expert report was served on February 24, 2021. I provide this supplemental report with additional opinions related to infringement of claims 1, 2, 9, 10, 11, and 12 in the '911 patent by RJR's VUSE Alto. These additional infringement opinions were necessitated by [REDACTED] and supplementation of their non-infringement contentions on March 5, 2021 [REDACTED] [REDACTED]. See RJREDVA_001642024-27; see also RJR's Resp. to Interr. No. 1 (Mar. 5, 2021) at 63-64; RJR's Resp. to Interr. No. 16 (Mar. 5, 2021) at 15. In view of [REDACTED] [REDACTED] and new non-infringement contentions, I also considered a teardown, analysis, and testing of the Alto. See DEF_PUB_EDVA500000001-DEF_PUB_EDVA500000133. I have attached as Exhibit A a list of materials considered for this supplemental report. I also considered the documents cited in my report, even if they do not appear in Exhibit A.

3. I reserve the right to provide additional opinions based on any additional information or discovery that may be provided. I further reserve the right to amend, modify, or supplement my opinions based on my further investigation, any Court orders, agreements between the parties, and additional evidence submitted by either party after the date of this Report including, but not limited to, additional discovery regarding the '911 Accused Products. I also reserve the right to rely on demonstratives and demonstrations at trial.

¹ I understand that RJR's infringement claims are currently stayed in this litigation, and thus I will refer to Philip Morris as "Plaintiff" and RJR as "Defendants" in this Report.

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