

# EXHIBIT 8

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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**

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

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[REDACTED]

**4. “wherein the leakage prevention means comprises at least one cavity in a wall of the aerosol forming chamber, for collecting liquid condensate formed from the aerosol forming substrate”**

22. As explained below, the VUSE Alto literally meets this limitation because it includes a “leakage prevention means [that] comprises at least one cavity in a wall of the aerosol forming chamber, for collecting liquid condensate formed from the aerosol forming substrate.”

23. As shown in the images below from my analysis of the CAD files that RJR recently produced and my teardown analysis of the Alto, the Alto includes “a leakage prevention means [that] comprises at least one cavity in a wall of the aerosol forming chamber, for collecting liquid condensate formed from the aerosol forming substrate.” RJREDVA\_001642024; DEF\_PUB\_EDVA500000034. *See also* RJREDVA\_001285356-RJREDVA\_001285368 at RJREDVA\_001285367; RJREDVA\_001449196-RJREDVA\_001449208 at RJREDVA\_001449207. [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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24. Further, these cavities are used “for collecting liquid condensate formed from the aerosol forming substrate” because [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thus, the Alto includes “a leakage prevention means [that] comprises at least one cavity in a wall of the aerosol forming chamber, for collecting liquid condensate formed from the aerosol forming substrate,” under the plain meaning of those terms.

25. RJR argues that the Alto does not include a “leakage prevention means [that] comprises at least one cavity in a wall of the aerosol forming chamber, for collecting liquid condensate formed from the aerosol forming substrate.” *See* RJR’s Resp. to Interr. No. 1 (Dec. 2, 2020) at 70-71. *See also* RJR’s Resp. to Interr. No. 1 (Mar. 5, 2021) at 64. With respect to its originally-produced Alto CAD drawings (produced at RJREDVA\_001526194-95), which RJR later stated were inaccurate, RJR argued that the Alto cavities are not “in a wall of the aerosol-forming chamber,” as required by claim 1 of the ’911 Patent, [REDACTED]

[REDACTED]

[REDACTED] RJR’s Resp. to Interr. No. 1 (Dec. 2, 2020) at 70-

71. With respect to its recently produced Alto CAD drawings (produced at RJREDVA\_001642024-27), RJR further argues [REDACTED]

[REDACTED]

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