

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



ALTRIA CLIENT SERVICES LLC ,  
Plaintiff and Counterclaim Defendant,  
v.  
R.J. REYNOLDS VAPOR COMPANY,  
Defendant and Counterclaim Plaintiff.

Case No. 1:20-cv-00472-NCT-JLW

**VERDICT FORM**

The below verdict form provides questions and instructions that will serve as your verdict in this case. When answering the questions and instructions, please follow the instructions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Court's Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein, the terms have the following meanings:

- “**Altria**” refers to Plaintiff Altria Client Services LLC
- “**Reynolds**” refers to Defendant R.J. Reynolds Vapor Company
- The “**’517 Patent**” refers to U.S. Patent No. 10,299,517
- The “**’269 Patent**” refers to U.S. Patent No. 10,485,269
- The “**’541 Patent**” refers to U.S. Patent No. 10,492,541
- The “**Asserted Patents**” refers collectively to the ’517, ’269, and ’541 Patents
- “**Asserted Patent Claims**” refers collectively to:
  - Claims 1, 9, and 10 of the ’517 Patent;
  - Claim 19 of the ’269 Patent; and
  - Claim 24 of the ’541 Patent.

**QUESTION 1 - INFRINGEMENT**

Do you find that Altria has proven by a preponderance of the evidence that Reynolds has infringed any of the following claims of the Asserted Patents?

**U.S. Patent No. 10,299,517**

Claim 1              ✓   Yes (Altria)                       No (Reynolds)

Claim 9              ✓   Yes (Altria)                       No (Reynolds)  
(dependent)

Claim 10             ✓   Yes (Altria)                       No (Reynolds)

**U.S. Patent No. 10,485,269**

Claim 19             ✓   Yes (Altria)                       No (Reynolds)

**U.S. Patent No. 10,492,541**

Claim 24             ✓   Yes (Altria)                       No (Reynolds)

**QUESTION 2 - INVALIDITY**

Do you find that Reynolds has proven by clear and convincing evidence that any of the following claims of the Asserted Patents is invalid?

**U.S. Patent No. 10,299,517**

**Claim 1**                    \_\_\_\_\_ **Yes (Reynolds)**                      ✓   **No (Altria)**

**Claim 9**  
(dependent)                    \_\_\_\_\_ **Yes (Reynolds)**                      ✓   **No (Altria)**

**Claim 10**                    \_\_\_\_\_ **Yes (Reynolds)**                      ✓   **No (Altria)**

**U.S. Patent No. 10,485,269**

**Claim 19**                    \_\_\_\_\_ **Yes (Reynolds)**                      ✓   **No (Altria)**

**U.S. Patent No. 10,492,541**

**Claim 24**                    \_\_\_\_\_ **Yes (Reynolds)**                      ✓   **No (Altria)**

Answer QUESTION 3 and QUESTION 4 below only if you have found at least one claim of the asserted patents is both infringed and valid. If there are no such claims, your deliberations are complete. Please sign and date the form at the bottom of the page.

### QUESTION 3 – MARKING

Do you find that Altria has proven by a preponderance of the evidence that Altria's licensee JUUL did not make or sell a JUUL device after May 2019 that practiced the Asserted Patents?

Yes (Altria)                       No (Reynolds)

### QUESTION 4 - DAMAGES

What sum of money did Altria prove by a preponderance of the evidence would be adequate compensation for Reynolds's past infringement of the Asserted Patents? Provide the amount below in dollars and cents.

\$ 95,233,292.00

(For past infringement through June 30, 2022)

### END OF JURY VERDICT FORM

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. If you are satisfied that your unanimous answers are accurately reflected above, please have the Jury Foreperson sign and date this form in the spaces below.

Jury Foreperson: David MacDonald

Date: Sept. 7, 2022