

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

RAI STRATEGIC HOLDINGS, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION 1:20cv393
	)	
ALTRIA CLIENT SERVICES, LLC	)	
	)	
Defendant.	)	


**CLAIM CONSTRUCTION ORDER**

Each party has filed a Claim Construction Brief and oral argument was held on November 18, 2020. The Court has reviewed the parties' submissions, including the patents, prosecution histories, and other pertinent materials and considered the oral arguments of the parties. Each side asks the Court to give the fifteen terms in dispute their ordinary and customary meaning to the person of ordinary skill in the art. They also urge the Court to examine whether any of the terms are indefinite and to be careful not to import limitations from the specifications unless there is a disclaimer.

The Court has endeavored to follow these rules of construction and in doing so concludes that none of the fifteen terms in dispute should be modified. They are all well known common English words given their common meaning. None of the terms were modified by a clear disclaimer in the prosecution, although there were debates with the examiner. Mostly, the Court found that the limitations sought were advanced herein to support infringement/non-infringement or invalidity arguments downstream in the litigation.

For these reasons, the Court declines to modify any of the fifteen terms in dispute.

It is so **ORDERED**.

  
\_\_\_\_\_  
Liam O'Grady  
United States District Judge

Alexandria Virginia  
November 24, 2020