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R.J. Reynolds Tobacco Company Granted Summary Judgment in Patent Infringement Suit

WINSTON-SALEM, N.C. - Jan. 19, 2007 - R.J. Reynolds Tobacco Company is pleased with today's decision by a U.S. District Court Judge granting its summary judgment motion on invalidity in a patent infringement lawsuit brought against it by Star Scientific, Inc. (Star). The ruling renders Star's patents in question invalid based upon indefiniteness. The patents involve a method of treating tobacco to substantially prevent the formation of tobacco-specific nitrosamines (TSNAs).

In granting the motion, Judge Marvin Garbis ruled Star failed to give notice as to what activities are covered by the alleged invention, stating in his ruling: "...the essential problem with the claims is that no one – certainly not one of ordinary skill in the art – reading the Patents-in-Suit would be able to carry out the invention."

"It has been R.J. Reynolds' position that Star's patents are invalid," said August Borschke, chief patent counsel for R.J. Reynolds. "Today's ruling confirms our belief."

Star filed the suit on May 23, 2001, in the U.S. District Court for Maryland – Southern Division and had sought hundreds of millions of dollars in damages for past alleged infringement, and an injunction going forward to prevent future alleged infringement.

R.J. Reynolds is represented in the case by a team from the Chicago office of Brinks Hofer Gilson & Lione led by Richard Kaplan, Ralph Gabric, Shannon Mrksich and Jerold Jacover.

R.J. Reynolds Tobacco Company, an indirect subsidiary of Reynolds American Inc. (NYSE: RAI), is the second-largest tobacco company in the United States, manufacturing about one of every three cigarettes sold in the country. The company's brands include five of the 10 best-selling U.S. cigarette brands: Camel, Kool, Winston, Salem and Doral. For more information, visit www.RJRT.com.

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