

APPENDIX F

FACTORS FOR ESTABLISHING COUNTERFEIT PHILIP MORRIS CIGARETTES

For the purpose of Section 4.01(j) of the Agreement, in determining whether Cigarettes bearing Philip Morris Trademarks are Counterfeit Philip Morris Cigarettes, the following factors shall be considered and compared with indicia of genuine Philip Morris Cigarettes as provided by Philip Morris International and updated from time to time:

- the look, shape, color, and size of the packaging;
- the materials used in the packaging;
- the size, font, color, language and content of the text appearing on the packaging;
- the markings, codes, and stamps appearing on the packaging;
- the look, shape, color, and size of the Cigarettes;
- the markings on the Cigarettes;
- the materials used in the Cigarettes paper and filter;
- the nature and quality of the tobacco; and
- all the ingredients of the Cigarettes.