

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTERMIX MEDIA LLC  
Petitioner

v.

BALLY GAMING, INC.  
Patent Owner

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Case CBM2015-00154  
Patent 5,816,918

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Attorney Docket No. 024004-0000019

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**PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES  
FOR COVERED BUSINESS METHOD PATENT REVIEW**

Petitioner Intermix Media LLC (“Petitioner”) requests a refund of post-institution fees, totaling \$47,700, to be paid to deposit account number 03-3975.

On June 29, 2015, Petitioner filed a Petition for Covered Business Method Patent Review Pursuant to 35 U.S.C. §321, AIA §18, and 37 C.F.R. §§42.300-42.304 (Paper 1), seeking Covered Business Method Patent Review of claims 1-34, 38-39, and 45-77 of U.S. Patent No. 5,816,918. Pursuant to 37 C.F.R. § 42.15(b), Petitioner deposited \$71,950 at the time of filing the Petition to cover associated fees: \$24,250 for requesting review and a further \$47,700 in post-institution fees.

On January 10, 2016, the Board issued an order denying institution as to all challenged claims (Paper 10). On February 19, 2016, Petitioner filed a Request for Rehearing asking the Board to reconsider its decision (Paper 12). However, on March 22, 2016, Petitioner filed a motion withdrawing the Request for Rehearing (Paper 13), which the Board granted on March 23, 2016 (Paper 14), thus terminating the proceeding pre-institution.

As Covered Business Method Patent Review was not instituted, Petitioner respectfully requests that the Board credit the post-institution fees, totaling \$47,700, to Deposit Account Number 03-3975.

Respectfully submitted,

Date: March 23, 2016

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing “PETITIONER’S REQUEST FOR REFUND OF POST-INSTITUTION FEES FOR COVERED BUSINESS METHOD PATENT REVIEW” was served this 23rd day of March, 2016 via electronic mail in its entirety on the patent owner at:

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Respectfully submitted,

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