

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZOLL LIFECOR CORPORATION
Petitioner

v.

PHILLIPS ELECTRONICS NORTH AMERICA CORPORATION
Patent Owner

Case IPR2013-00609
Patent 5,836,978

**PETITIONER ZOLL LIFECOR CORPORATION'S
REQUEST FOR REFUND OF POST-INSTITUTION FEES**

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Petitioner Zoll Lifecor Corporation ("Petitioner"), request a refund in the amount of \$14,000.00 to be paid to deposit account number 06-1050.

On September 23, 2013, Petitioner filed a Petition for Inter Partes Review of U.S. Patent No. 5,836,978 with the Patent Trial and Appeal Board that was assigned case number IPR2013-00609. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a) Petitioner deposited an electronic payment in the amount of \$9,000.00 with the Board at the time of filing of its Petition to cover associated fees with Petitioner's inter partes review request, and a further \$14,000.00 in Post-Institution fees.

On March 20, 2014, the Patent Trial and Appeal Board entered a Decision denying institution of inter partes review. Accordingly, Petitioner requests a refund in the amount of \$14,000.00 for the post-institution fees that it has paid to the USPTO in connection with that proceeding.

Respectfully submitted,

Date: 4-2-14/

/Dorothy P. Whelan/
Dorothy P. Whelan
Reg. No. 33,814

Fish & Richardson P.C.
Telephone: (612) 337-2509
Facsimile: (877) 769-7945

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on April 2, 2014, a complete and entire copy of this Petitioner Zoll Lifecor Corporation's Request for Refund of Post-Institution Fees was provided via email to the Patent Owner by serving the correspondence email address of record as follows:

J. Michael Jakes
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.
901 New York Avenue, NW
Washington, DC 20001-4413

Denise W. DeFranco
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.
Two Seaport Lane, 6th Floor
Boston, MA 02210-2001

Email: mike.jakes@finnegan.com
denise.defranco@finnegan.com
PTABdocket@finnegan.com
Philips-Zoll@finnegan.com

/Diana Bradley/
Diana Bradley
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
(858) 678-5667