

Filed on behalf of: RPX Corporation

Paper No. _____
Filed: July 14, 2014

By: Oliver R. Ashe, Jr., Esq.
ASHE, P.C.
11440 Isaac Newton Sq. North
Suite 210
Reston, VA 20190
Tel.: (703) 467-9001
Fax: (703) 467-9002
E-mail: oashe@ashepc.com

Gregory M. Howison
HOWISON & ARNOTT, LLP
Lincoln Centre II
5420 LBJ Freeway, Suite 660
Dallas, Texas 75240
Tel.: (972) 680-6050
Fax: (972) 479-0464
E-mail: ghowison@dalpat.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner,

v.

VIRNETX, INC. AND SCIENCE APPLICATION
INTERNATIONAL CORPORATION,
Patent Owner

Case IPR2014-00176
Patent 7,418,504

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

On November 20, 2013, Petitioner RPX Corporation (“RPX”) filed a petition for *inter partes* review requesting review of 20 claims of U.S. Patent No. 7,418,504 (“the ‘504 patent”). (Paper 1). At the time of filing of the petition, RPX paid a \$9,000 *inter partes* request fee and \$16,000 *inter partes* post-institution fees in accordance with 37 C.F.R. § 42.15(a).

On November 22, 2013, RPX filed a corrected petition for *inter partes* review requesting review of 22 claims of the ‘504 patent. (Paper 4). In view of the corrected petition, RPX owes the Patent Trial and Appeal Board (“PTAB”) a \$400 *inter partes* request fee for 2 claims in excess of 20 claims.

On June 5, 2014, the PTAB denied institution of the *inter partes* review. (Paper 49).

In view of the PTAB’s decision and pursuant to the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232-4234 (Jan. 18, 2013), RPX respectfully requests a refund of the following post-institution fees:

<i>Inter Partes</i> Review Post Inst. (1414)	1 x \$14,000.00	\$14,000
Post Inst. Claims in Excess of 15 (1415)	5 x \$400	\$2,000
Pre-Inst. Fee for 2 Claims in Excess of 20 (1407) (owed by RPX in view of the corrected petition)	2 x \$200	- \$400
	Total Amount:	\$15,600

Petitioner respectfully requests that the refund of \$15,600 be deposited to

Deposit Account No. 20-0780.

July 14, 2014

Respectfully submitted,

/Oliver R. Ashe, Jr./

Oliver R. Ashe, Jr.

Registration No. 40,491

Counsel for Petitioner

ASHE, P.C.

11440 Isaac Newton Square North

Suite 210

Reston, VA 20190

Tel.: 703-467-9001

Fax: 703-467-9002

E-mail: oashe@ashepc.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the paper entitled “**PETITIONER’S REQUEST FOR REFUND OF POST-INSTITUTION FEES**” was served this 14th day of July, 2014, by e-mail, on the following counsel of record for Patent Owner:

Joseph E. Palys
Paul Hastings LLP
875 15th Street, NW
Washington, DC 20005
Phone: (202)551-1996
Fax: (202)551-0496
E-mail: josephpalys@paulhastings.com

Naveen Modi
Paul Hastings LLP
875 15th Street, NW
Washington, DC 20005
Phone: (202)551-1990
Fax: (202)551-0490
E-mail: naveenmodi@paulhastings.com

July 14, 2014

/Oliver R. Ashe, Jr./
Oliver R. Ashe, Jr.