

DOCKET NO.: 0107131-00271US2

Filed on behalf of Intel Corporation

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UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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INTEL CORPORATION

Petitioner

v.

Zond, LLC, Patent Owner of  
U.S. Patent No. 6,853,142 to Roman Chistyakov

IPR Trial No. 2014-00495

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**REQUEST FOR REFUND OF POST-INSTITUTION  
FEE**

Intel Corporation ("Petitioner" or Intel") hereby files its request for a refund of the \$23,000 post-institution fee that was previously paid.

On March 13, 2013, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 6,260,168 and paid the USPTO a total of \$23,000 at the time of filing this petition, which included a \$9,000 payment for the *inter partes* review request fee and a \$14,000 payment for the post-institution fee required by 37 C.F.R. §42.15(a)(1)-(2). The filed *inter partes* review petition was granted a filing date on March 24, 2013. (Paper No. 3). The parties subsequently reached a settlement and filed a joint motion to terminate the proceedings on September 12, 2014. On September 15, 2014, the Board entered a Judgment, Termination of the Proceeding under 37 C.F.R. § 42.73 (Paper No. 8) in which the Board granted the parties' joint motion to terminate the proceeding and thereby terminated the proceeding. The Board terminated the proceeding before institution of the *inter partes* review and the petition to institute the *inter partes* review was filed on March 13, 2013. The Petitioner is entitled to request a refund of the post-institution fee that was previously paid and is entitled to this refund. *See e.g.*, 78 FR 4233 (January 18, 2013) *available at* <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (stating that "The entire post-institution fee would be returned to the petitioner if the Office does not institute a review."); Patent Review Processing System (PRPS) FAQ at E7 *available at* <http://www.uspto.gov/ip/boards/bpai/prps.jsp>.

For at least the reasons sets forth above, Intel hereby files its request for a refund of the post-institution fee that was previously paid and hereby requests a refund of the \$23,000 post-institution fee previously paid by Intel.

The refund may be deposited in Deposit Account No. 080219 under attorney reference number 0107131-00271US2.

Respectfully submitted,

Dated: October 30, 2014

By: /David L. Cavanaugh/

Case No. IPR2013-00495

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## CERTIFICATE OF SERVICE ON PATENT OWNER

The undersigned certifies that on the 30th day of October 2014 a complete and entire copy of this REQUEST FOR REFUND OF POST-INSTITUTION FEE was provided by email to the Patent Owner by serving counsel of record for the Patent Owner:

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