

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENZYMOTEC LTD.,  
Petitioner

v.

NEPTUNE TECHNOLOGIES AND BIORESSOURCES INC.,  
Patent Owner

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CASE IPR: 2014-00586

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REQUEST FOR REFUND OF POST-INSTITUTION FEE  
FOR *INTER PARTES* REVIEW OF U.S. PATENT 8,278,351

## **I. STATEMENT OF RELIEF REQUESTED**

Petitioner Enzymotec Ltd. (“Petitioner”) respectfully requests a refund of the post-institution fee initially paid for its Petition for *Inter Partes* Review of U.S. Patent 8,278,351, assigned case number IPR 2014-00586.

## **II. STATEMENT OF FACTS**

On April 11, 2014, Petitioner filed a Petition for *Inter Partes* Review of claims 47-52, 55, 58, 59, and 65-69 of U.S. Patent 8,278,351 under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.1-.80, 24.100-.123 (“Petition,” Paper No. 1). This review has not been instituted.

On May 7, 2013, Petitioner and patent owner jointly submitted a motion to terminate *Inter Partes* Review of U.S. Patent 8,278,351.

On May 12, 2014, the Patent Trial and Appeal Board granted the joint motion to terminate and ordered that the proceeding be terminated. (Paper No. 11). The Board noted that “no institution of a trial has been made.” (*Id.* at 2.)

Because no trial has been instituted, Petitioner hereby requests refund of the \$14,000 post-institution fee it paid pursuant to 37 C.F.R. § 42.15(a)(2) at the time of filing the Petition. Payment of the \$14,000 post-institution fee was processed through PRPS on April 14, 2014, and charged to the undersigned’s Deposit Account, No. 11-0600. Upon review and approval of this request, Petitioner

respectfully requests that the Board credit the post-institution fee to Deposit  
Account No. 11-0600.

Date: May 29, 2014

Respectfully submitted,

/Elizabeth J. Holland/  
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*Counsel for Petitioner Enzymotec Ltd.*

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that “Request for Refund of Post-Institution Fees for *Inter Partes* Review of U.S. Patent 8,278,351,” was served in its entirety by electronic mail this 29th day of May 2014 on the following:

Stephen L. Altieri, Ph.D.  
J. Dean Farmer, Ph.D.  
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Dated: May 29, 2014

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