

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FIRST DATA CORPORATION
Petitioner

v.

CARDSOFT (ASSIGNMENT FOR THE
BENEFIT OF CREDITORS), LLC,

Patent Owner

Case IPR2014-00720

Patent 7,302,683 B2

**PETITIONER FIRST DATA CORPORATION
REQUEST FOR REFUND OF POST-INSTITUTION FEES**

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4234-35, Petitioner FIRST DATA CORPORATION requests a refund in the amount of \$14,000 to be paid to credit card ending in 1006.

On May 1, 2014, Petitioners filed a Petition for *Inter Partes* Review ("IPR") with the USPTO that was assigned case number IPR2014-00720. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(b), Petitioners deposited an electronic payment in the amount of \$23,000 with the USPTO at the time of the filing of the Petition to cover associated fees. Petitioners' payment comprised \$14,000 for post-institution fees.

On October 17, 2014, the Patent Trial and Appeal Board entered a decision denying Institution of *Inter Partes* Review of the IPR2014-00720. *See* Paper No. 8.

Statement of Precise Relief Requested

Accordingly, First Data Corporation requests a refund in the amount of \$14,000 for the post-institution fees that it has paid to the USPTO in connection with this proceeding, as no trial is instituted.

Respectfully submitted,

Dated: January 27, 2015

By: /Paul C. Haughey/
Paul C. Haughey
Registration No. 31,836
Lead Counsel for Petitioners

Lead Counsel	Back-Up Counsel
Paul C. Haughey Registration No. 31,836 pahaughey@kilpatricktownsend.com <u>Postal and Hand-Delivery Address:</u> Kilpatrick Townsend & Stockton LLP Two Embarcadero Center, Eighth Floor San Francisco, CA 94111 Telephone: (415) 576-0200 Fax: (415) 576-0300	Darin J. Gibby Registration No. 38,464 djgibby@kilpatricktownsend.com <u>Postal and Hand-Delivery Address:</u> Kilpatrick Townsend & Stockton LLP 1400 Wewatta Street, Suite 600 Denver, CO 80202 Telephone: (303) 571-4000 Fax: (303) 571-4321

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Request for Refund has been served January 27, 2015, via electronic mail directed to the attorneys of record for the Patent Owner upon the following:

Birch, Steward, Kolasch & Birch, LLP
8110 Gatehouse Road, Suite 100 East
Falls Church, VA 22042-1248

With copies by email, per Patent Owner consent, to:

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Dated: January 27, 2015

By: /Paul C. Haughey/
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