

Paper No. \_\_\_\_\_  
Filed May 8, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

AGILA SPECIALTIES INC. and MYLAN PHARMACEUTICALS INC.,  
Petitioner,

v.

CUBIST PHARMACEUTICALS, INC.,  
Patent Owner.

---

Case IPR2015-00141  
Patent 8,058,238

---

**PETITIONER AGILA SPECIALTIES INC. AND  
MYLAN PHARMACEUTICALS INC.'S REQUEST FOR REFUND**

Case IPR2015-00141  
Patent No. 8,058,238

On April 28, 2015, the Patent Trial and Appeal Board entered a Judgment, terminating proceedings of *inter partes* review of IPR2015-00141 (Paper No. 19). Accordingly, Petitioner hereby requests a refund of \$26,000 for the Post-Institution Fee under 37 C.F.R. §42.15(a)(2).

Upon review and approval of this request, Petitioner respectfully requests that the Board credit the Post-Institution Fee to our Deposit Account No. 23-2415.

Respectfully submitted,

Dated: May 8, 2015

/Peter R. Munson/  
Peter R. Munson  
Reg. No. 43,821  
Lead Counsel  
WILSON SONSINI GOODRICH &  
ROSATI  
Tel.: 206-883-2542  
Fax: 206-883-2699  
Email: [pmunson@wsgr.com](mailto:pmunson@wsgr.com)

Case IPR2015-00141  
Patent No. 8,058,238

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Petitioner Agila Specialties Inc. and Mylan Pharmaceuticals Inc.'s Request for Refund was served on this 8<sup>th</sup> day of May, 2015, at the following address of record for the subject patent:

Emily R. Whelan  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
[emily.whelan@wilmerhale.com](mailto:emily.whelan@wilmerhale.com)

Andrej Barbic, Ph.D.  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue, NW  
Washington, DC 20006  
[andrej.barbic@wilmerhale.com](mailto:andrej.barbic@wilmerhale.com)

Jane M. Love, Ph.D.  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007  
[jane.love@wilmerhale.com](mailto:jane.love@wilmerhale.com)

Gerard M. Devlin, Jr.  
Merck & Co., Inc.  
2000 Galloping Hill Road  
Kenilworth, NJ 07033  
[gerard\\_devlin@merck.com](mailto:gerard_devlin@merck.com)

Dated: May 8, 2015

/Peter R. Munson/  
Peter R. Munson, Lead Counsel  
Reg. No. 43,821