

Filed: February 19, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC.

Petitioner,

v.

YEDA RESEARCH & DEVELOPMENT CO. LTD.

Patent Owner.

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Case IPR2015-00644

Patent No. 8,399,413

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**PETITIONER MYLAN PHARMACEUTICALS INC.'S  
REQUEST FOR REFUND OF EXCESS CLAIM FEES PAID  
UNDER 37 C.F.R. § 1.26(a)**

On February 7, 2015, Mylan Pharmaceuticals Inc. filed a Petition for *Inter Partes* Review, which was assigned case number IPR2015-00644. In accordance with the fee schedule specified in 37 C.F.R. §42.15(a)(2), Mylan Pharmaceuticals Inc., deposited the electronic payment in the amount of \$28,600.00 requested by the PTO in the Patent Review Processing System (“PRPS”) at the time of filing. Upon review of the filing fees paid, Petitioner Mylan Pharmaceuticals Inc. discovered that, due to a PRPS system error which showed that U.S. Patent Number 8,399,413 has a total 26 claims instead of 20 claims, Petitioner Mylan Pharmaceuticals Inc. paid excess claim fees in the amount of \$3,600.00 for six excess claims.

At this time Petitioner, Mylan Pharmaceuticals Inc., respectfully requests a refund of excess claim fees paid on February 7, 2015 in the amount of \$3,600.00 be credited to Deposit Account No. 23-2415 in connection with this proceeding.

Respectfully submitted,

Dated: February 19, 2015

/Jeffrey W. Guise/  
Jeffrey W. Guise, Lead Counsel  
Reg. No. 34,613

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## **CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105, I certify that I caused to be served a true and correct copy of the foregoing PETITIONER MYLAN PHARMACEUTICALS INC.'S REQUEST FOR REFUND OF FEES UNDER 37 C.F.R. § 1.26(a) by Federal Express Next Business Day Delivery on this day on the Patent Owner's correspondent address of record for the subject patent as follows:

COOPER & DUNHAM LLP  
30 ROCKEFELLER PLAZA  
20TH FLOOR  
NEW YORK, NY 10112

and by Global Priority Mail Express Guaranteed United States Postal Service Delivery on this day on the Patent Owner correspondence address of record for the subject patent as follows:

YEDA RESEARCH & DEVELOPMENT CO., LTD.  
P.O. BOX 95  
REHOVOT, ISRAEL 76100

Respectfully submitted,

Dated: February 19, 2015

/Jeffrey W. Guise/  
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