

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.  
Petitioner,

v.

VIRNETX, INC.,  
Patent Owner.

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Patent No. 8,850,009

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*Inter Partes* Review No. IPR2015-00813

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**PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES  
FOR *INTER PARTES* REVIEW**

On March 2, 2015 Apple Inc. (“Petitioner”) filed a Petition for *Inter Partes* Review of U.S. Patent No. 8,850,009 under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 *et seq.* (“Petition,” Paper No. 3), seeking review of claims 1-8, 10-20 and 22-25 of the ’009 patent. On September 16, 2015, the Patent Trial and Appeal Board issued a Decision Denying Institution (Paper No. 8). Petitioner hereby requests a refund of \$17,200 for the Post-Institution Fee under 37 C.F.R. § 42.15(a)(2) (\$14,000) and Post-Institution Claim Fees under 37 C.F.R. § 42.15(a)(4) for eight claims (\$3,200) submitted with the filing of the Petition. *See e.g.*, 78 FR 4233, 4234-35 (Jan. 18, 2013).

Payment of \$17,200 in Post-Institution Fees was processed through PRPS on March 2, 2015, and charged to the undersigned’s Deposit Account No. 50-1597. Upon review and approval of this request, Petitioners respectfully requests that the Board credit the Post-Institution Fees to our Deposit Account No. 50-1597 under Order No. 41484-80120.

Dated: March 11, 2016

Respectfully Submitted,

/Jeffrey P. Kushan /  
Jeffrey P. Kushan  
Registration No. 43,401  
Sidley Austin LLP  
1501 K Street NW  
Washington, DC 20005

**CERTIFICATE OF SERVICE**

I hereby certify that on this March 11, 2016, a copy of **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES FOR *INTER PARTES* REVIEW**, including all attachments, appendices and exhibits, has been served in its entirety by e-mail on the following counsel of record for patent owner:

Joseph E. Palys  
E-mail: josephpalys@paulhastings.com

Naveen Modi  
E-mail: naveenmodi@paulhastings.com

Dated: March 11, 2016

Respectfully submitted,

/Jeffrey P. Kushan/  
Jeffrey P. Kushan  
Reg. No. 43,401