

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COALITION FOR AFFORDABLE DRUGS VII LLC,  
Petitioner,

v.

POZEN INC.,  
Patent Owner.

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IPR2015-01241  
Patent 6,926,907

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**PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE**

Petitioner Coalition for Affordable Drugs VII LLC respectfully requests a refund of \$17,200 of the post-institution fee that was previously paid for this proceeding.

On May 21, 2015, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 6,926,907, challenging 23 claims of the '907 Patent, and paid the USPTO a total fee of \$26,800 for the petition, including:

- a \$9,000 request fee required by 37 C.F.R. § 42.15(a)(1);
- a \$14,000 post-institution fee required by 37 C.F.R. § 42.15(a)(2);
- a \$600 excess claims fee (\$200 for each claim in excess of 20) required by 37 C.F.R. § 42.15(a)(3); and
- a \$3,200 excess claims fee (\$400 for each claim in excess of 15) required by 37 C.F.R. § 42.15(a)(4).

On June 6, 2015, the Board issued a notice according the petition a filing date (Paper 4). The Patent Owner Preliminary Response was filed on September 18, 2015 (Paper 15). On December 8, 2015, the Board issued an Institution Decision, denying institution as to all 23 of the challenged claims (Paper 22).

For petitions filed after March 19, 2013, in a situation where the Board decides not to institute a review, the petitioner is entitled to a refund of the portion

of the fees that were allocated to the post-institution phase of the proceeding. *See* Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4233 (January 18, 2013).

Accordingly, in this case, Petitioner is entitled to a refund in the amount of \$17,200 (\$14,000 + \$3,200).

Date: April 4, 2016

Respectfully submitted,

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Coalition for Affordable Drugs VII LLC

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on April 4, 2016 a copy of the foregoing PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE was provided via email to the following counsel of record for

Patent Owner:

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Date: April 4, 2016

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