

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NVIDIA CORPORATION
Petitioner

v.

SAMSUNG ELECTRONICS CO., LTD.
Patent Owner

Case IPR2015-01318
U.S. Patent 8,252,675 B2

**PETITIONER NVIDIA CORPORATION'S REQUEST FOR
REFUND OF POST-INSTITUTION FEE FOR *INTER PARTES*
REVIEW OF U.S. PATENT NO. 8,252,675 B2**

FILED VIA PRPS

On June 1, 2015, NVIDIA filed a Petition for *Inter Partes* Review (“IPR2015-01318”) seeking review of claims 1-15 of U.S. Patent No. 8,252,675. Pursuant to 37 C.F.R. §42.15(a)(2) and (4), NVIDIA paid fees totaling \$23,000, which included a \$14,000 payment for the post-institution fee.

On December 7, 2015, the Patent Trial and Appeal Board (“the Board”) denied the Petition. (Paper No. 8).

Therefore, because the petition to institute the inter partes review was filed after March 19, 2013, and the proceeding did not institute, NVIDIA is entitled to request a refund of the post-institution fee that was previously paid. *See, e.g.*, 78 Fed. Reg. 4212, 4233 (Jan. 18, 2013), *available at* <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”).

Upon review and approval of the request, NVIDIA respectfully asks the Board to credit \$14000 to NVIDIA by depositing such amount into PTO Deposit Account No. 506269 of Latham & Watkins LLP.

Respectfully submitted,

Dated: March 28, 2016

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CERTIFICATE OF SERVICE

Under 37 C.F.R. § 42.6(e) and the parties' agreement to electronic service, I certify that on March 28, 2016, a copy of **PETITIONER NVIDIA CORPORATION'S REQUEST FOR REFUND OF POST-INSTITUTION FEE** was served by e-mail on Patent Owner's lead and backup counsel, as follows:

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