

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SERVICENOW, INC.
Petitioner

v.

BMC SOFTWARE, INC.
Patent Owner

Case No. IPR2015-01555
Patent No. 8,646,093

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

Petitioner, ServiceNow, Inc., hereby requests refund of its post-institution fees in the amount of \$14,000 deposited in the above matter on July 3, 2015 for the foregoing reasons:

1. ServiceNow, Inc. filed its Petition for Inter Partes Review on July 3, 2015 in the above matter. At that time, ServiceNow, Inc. deposited with the PTAB the inter partes review request and post-institution fees in the total amount of \$23,000. The fees were charged to Cooley LLP's deposit account number 50-1283.

2. On January 14, 2016, the PTAB denied institution of ServiceNow, Inc.'s Petition for Inter Partes Review (Paper No. 11).

For the foregoing reasons, ServiceNow, Inc. requests reimbursement of the post-institution fees of \$14,000.

DATED: March 8, 2016

Respectfully Submitted,

COOLEY LLP
ATTN: Patent Docketing
1299 Pennsylvania Ave. NW Suite 700
Washington D.C. 20004
T: 650-843-5808
F: 650-849-7400

/Heidi L. Keefe/
Heidi L. Keefe
Reg. No. 40,673

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. Sections 42.6, that a complete copy of the attached **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES** and related documents, are being electronically served on the 8th day of March, 2016, the same day as the filing of the above-identified document in the United States Patent and Trademark Office/Patent Trial and Appeal Board, upon the Patent Owner by serving counsel of record as follows:

Robert A. Cote
Kevin Schubert
Pierre Hubert
Robert Auchter
McKool Smith P.C.
rcote@mckoolsmith.com
kschubert@mckoolsmith.com
phubert@mckoolsmith.com
rauchter@mckoolsmith.com
02184_00002_IPR093@mckoolsmith.com

DATED: March 8, 2016.

COOLEY LLP
Patent Docketing
1299 Pennsylvania Ave. NW, Suite 700
Washington, D.C. 20004
Tel: (650) 843-5808
Fax: (650) 849-7400

/ Heidi L. Keefe /
Heidi L. Keefe
Reg. No. 40,673

128373774 v1