

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALLSTEEL INC.
Petitioner

v.

DIRTT ENVIRONMENTAL SOLUTIONS LTD.
Patent Owner

Case IPR2015-01691
Patent No. 8,024,901

Before SALLY C. MEDLEY, SCOTT A. DANIELS, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*

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

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4233-4234 (Jan. 18, 2013), Petitioner Allsteel Inc. requests a refund in the amount of \$2,400.

On August 7, 2015, Petitioner Allsteel Inc. filed a petition for *inter partes* review of 21 claims of U.S. patent no. 8,024,901. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioner submitted payment in the amount of \$25,600, which consisted of the \$9,000 request fee, \$14,000 post-institution fee, \$200 excess claims fee, and \$2,400 post-institution excess claims fee.

On February 2, 2016, the Patent Trial and Appeal Board issued a Decision – Institution of *Inter Partes* Review (Paper 10), instituting review of only 15 claims out of the 21 requested. Petitioner's payment of the \$14,000 post-institution fee covers the requisite fee for review of the 15 instituted claims (*see* 37 C.F.R. § 42.15(a)(4)). In view of the Board's decision and Petitioner's previous payment, Petitioner respectfully requests a refund of the \$2,400 post-institution excess claims fee. Petitioner requests that the refund be charged back to Deposit Account No. 06-0029.

FAEGRE BAKER DANIELS LLP

Dated: May 18, 2016

By: /Victor P. Jonas/
Victor P. Jonas
Reg. No. 58,590

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on May 18, 2016, I caused a true and correct copy of *Petitioner's Request for Refund of Post-Institution Excess Claims Fees* to be served via email, as a PDF attachment, on the following:

Chad Nydegger
cnydegger@wnlaw.com

David Todd
dtodd@wnlaw.com

Michael J. Frodsham
mfrodsham@wnlaw.com

FAEGRE BAKER DANIELS LLP

Dated: May 18, 2016

By: /Debbie Cairns/
Debbie Cairns

Faegre Baker Daniels LLP
300 N. Meridian St., Suite 2700
Indianapolis, IN 46204
(317) 237-0300