

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS XI LLC,
Petitioner

v.

INSYS PHARMA, INC.,
Patent Owner

IPR2015-01797
U.S. Patent 8,835,459

PETITIONER'S REQUEST FOR REFUND OF POST-
INSTITUTION FEES

On August 24, 2015, Petitioner Coalition For Affordable Drugs XI, LLC (“CFAD”) filed a petition for inter partes review requesting review of certain claims of U.S. Patent No. 8,835,459. (Paper 1). At the time of filing of the petition, CFAD paid a \$9,000 inter partes request fee and \$14,000 inter partes post-institution fees in accordance with 37 C.F.R. § 42.15(a).

On March 10, 2016, the Patent Trial and Appeal Board (“PTAB”) denied institution of the inter partes review. (Paper 9). In view of the PTAB’s decision and pursuant to the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232-4234 (Jan. 18, 2013), CFAD respectfully requests a refund of the post-institution fee of \$14,000. Petitioner respectfully requests that the refund of \$14,000 be deposited to Deposit Account No. 506831.

Date: April 7, 2016

Respectfully Submitted,

By: /Gregory Gonsalves/
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing

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was served on April 7, 2016, by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail directed to the attorneys of record for the Patent Owner by email to the address listed below:

Gerald J. Flattmann
Naveen Modi
PAUL HASTINGS LLP
CFAD-Insys@paulhastings.com

Date: April 7, 2016

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