

By: Vivek Ganti (vg@hkw-law.com) Reg. No. 71,368; and
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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMPLEX INNOVATIONS LLC,
Petitioner
v.

AMGEN INC.,
Patent Owner

Case IPR2016-00085

U.S. Patent 7,829,595 B2

PETITIONERS' REQUEST FOR REFUND OF EXCESS CLAIM FEES

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4234-35 (Jan. 18, 2013), Petitioner requests a refund in the amount of **\$18,000** to be credited to Deposit Account No. 506541.

On November 23, 2015, Petitioners filed a Petition for *Inter Partes* Review with the PTO requesting review of 25 claims: 1-25. In accordance with the fee schedule provided in 37 C.F.R. § 42.15(b), Petitioners authorized the PTO to charge any applicable fees to the specified deposit account. Petitioners' petition incurred the following fees:

Request fee	\$9,000
Excess claim request fee (5 claims x \$200)	\$1,000
Post-institution fee	\$14,000
Excess claim post-institution fee (10 claims x \$400)	\$4,000
Total	\$28,000

On April 13, 2016, the Patent Trial and Appeal Board (the "Board") issued a decision instituting denying inter partes review on 25 claims. Because the board did not institute inter partes review, petitioners request a refund of the post institution fee of **\$14,000 plus \$4,000** (10 claims in excess of 15 x \$400) for a total of **\$18,000**.

Accordingly, Petitioners request a refund for this difference to Deposit Account No. 506541.

Respectfully submitted,
HILL, KERTSCHER & WHARTON, LLP

Date: August 24, 2016

/Vivek Ganti/
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CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing paper was served via electronic mail on August 24, 2016, as agreed to by the parties pursuant to 37 C.F.R. § 42.105, in its entirety on the following:

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Respectfully submitted,

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Date: August 24, 2016

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