

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LOWER DRUG PRICES FOR CONSUMERS, LLC

PETITIONER

V.

FOREST LABORATORIES HOLDINGS LIMITED

PATENT OWNER

CASE NO.: IPR2016-00379

PATENT NO. 6,545,040

FILED: JANUARY 24, 1992

ISSUED: 4/8/2003

INVENTORS: XHONNEUX AND VAN LOMMEN

TITLE: METHOD OF LOWERING THE BLOOD PRESSURE

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

Petitioner Lower Drug Prices for Consumers, LLC (“Petitioner”) requests a refund of post-institution fees in the amount of \$14,000.00.

On December 22, 2015, Petitioner filed a Petition for *Inter Partes* review of U.S. Patent No. 6,545,040. As required by 37 C.F.R. § 42.15(a), Petitioner deposited \$23,000.00 with the U.S. Patent and Trademark Office (“USPTO”) at the time of filing the Petition to cover associated fees. Petitioner’s payment consisted of \$9,000.00 in fees associated with the request for *Inter Partes* review, and a further \$14,000.00 in post-institution fees.

On July 1, 2016, the Board issued a Decision denying the institution of *Inter Partes* Review. (Paper No. 14) Petitioner filed a Request for Rehearing on July 29, 2016 (Paper No. 15); and the Board denied the Request for Rehearing on October 19, 2016 (Paper No. 16). Thus, an *inter partes* review trial was not instituted in this case. Petitioner therefore requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$14,000.00, to be paid to deposit account number 506564.

IPR2016-00379

Respectfully submitted,

Dated: November 15, 2016

/s/ Barry J. Bumgardner

Barry J. Bumgardner (Lead Counsel)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES was served in its entirety via electronic mail, upon the following lead and backup counsels of record for Patent Owner:

Jeffrey P. Kushan (jkushan@sidley.com)
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Date of Service: November 15, 2016

Signature: /s/ Barry J. Bumgardner
Barry J. Bumgardner, Reg. No. 38,397