

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WAVES AUDIO, LTD
Petitioner

v.

ANDREA ELECTRONICS CORPORATION
Patent Owner

Case: IPR2016-00459
Patent 6,363,345

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

Before MICHAEL R. ZECHER, TREVOR M. JEFFERSON, and
JEREMY M. PLENZLER, *Administrative Patent Judges*.

PLENZLER, *ADMINISTRATIVE PATENT JUDGE*.

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4234–4235 (Jan. 18, 2013), Petitioner Waves Audio, Ltd. ("Petitioner") hereby requests a refund in the amount of \$14,000.00 to be paid to PTO customer deposit account number 50-5159.

On January 14, 2015 Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent 6,363,345 (Claims 1, 2, 3, 12-14, 17, 21, 23, 25, 38 and 47) with the Patent Trial and Appeal Board ("PTAB"), case number IPR2016-00459. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a) Petitioner deposited an electronic payment in the amount of \$23,000.00 with the PTO at the time of filing of its Petition to cover associated fees. Petitioner's payment consisted of the following:

<i>Inter Partes</i> Review Request Fee (§ 42.15(a)(1))	\$9,000.00
<i>Inter Partes</i> Post-Institution Fee (§ 42.15(a)(2))	\$14,000.00
TOTAL DEPOSIT	\$23,000.00

On March 8, 2016, the Petitioner and Patent Owner jointly filed with the PTAB a Motion to Terminate the IPR2016-00459 proceedings (Paper Nos. 9, 10). On April 1, 2016, the PTAB Board issued a Decision to Terminate the IPR2016-00459 proceedings (Paper No. 11). Accordingly, Petitioner requests a refund in the

amount of \$14,000.00 for the post-institution fees that it has paid to the PTAB in connection with that proceeding.

Date: April 11, 2016

Respectfully submitted,

By: /J. Scott Denko/

J. Scott Denko (Reg. No. 37,606)
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CERTIFICATE OF SERVICE

I, the undersigned hereby certify that a copy of the foregoing document
PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES
was served on April 11, 2016 in its entirety on the following counsel by email:

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