

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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WAVES AUDIO, LTD  
Petitioner

v.

ANDREA ELECTRONICS CORPORATION  
Patent Owner

**Case: IPR2016-00474**  
**Patent 6,049,607**

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

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

ZECHER, *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 16, 2016 Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent 6,049,607 (Claims 1-4, 8, 25-28 and 32) with the Patent Trial and Appeal Board ("PTAB"), case number IPR2016-00474. 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 IPR2016-00474 proceedings (Paper Nos. 8, 9). On April 1, 2016, the PTAB Board issued a Decision to Terminate the IPR2016-00474 proceedings (Paper No. 10). 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)  
Patrick Stellitano (Reg. No. 42,169)  
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*Counsel for Waves Audio Ltd.*

**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:

Andy H. Chan Pepper Hamilton LLP 333 Twin Dolphin Drive Suite 400 Redwood City, CA 94065 (650) 802-3602 (telephone) (650) 802-3650 (facsimile)  <a href="mailto:chana@pepperlaw.com">chana@pepperlaw.com</a>	George S. Haight, Reg. No. 54,146 Pepper Hamilton LLP 125 High Street 19 <sup>th</sup> Floor, High Street Tower Boston, MA 02110 (617) 204-5100 (telephone) (617) 204-5150 (facsimile)  <a href="mailto:haightg@pepperlaw.com">haightg@pepperlaw.com</a>
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