

THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

HP INC.,

Petitioner,

v.

MEMJET TECHNOLOGY LIMITED,

Patent Owner

---

Case IPR2016-00537

Patent No. 7,156,492

---

Before JAMESON LEE, LYNNE E. PETTIGREW, and  
JOHN F. HORVATH, *Administrative Patent Judges*.

**PETITIONER'S REQUEST FOR REFUND OF FEES**

HP Inc. (“Petitioner”) hereby requests a refund of the \$14,000 post-institution fee that it previously paid. Petitioner filed a petition for *inter partes* review of U.S. Patent No. 7,156,492 on January 29, 2016, and paid the USPTO \$23,000 on that date, including a \$9,000 payment for the *inter partes* review request fee and a \$14,000 payment for the post-institution fee, as required by 37 C.F.R. §42.15(a)(2). On July 13, 2016, the Board terminated this proceeding, as requested in the parties’ Joint Motion to Terminate Proceeding filed July 6, 2016 (Paper No. 11), noting that no decision on whether to institute a trial was made. *See* Paper 14.

Based on the termination of this proceeding before institution, Petitioner requests a refund in the amount of the post-institution fees that it paid for post-institution services. *See* 78 FR 4212, 4233 (January 18, 2013), available at [http://www.uspto.gov/sites/default/files/aia\\_implementation/AC54\\_Final\\_Rule\\_Setting78FR4212-2013JAN18.pdf](http://www.uspto.gov/sites/default/files/aia_implementation/AC54_Final_Rule_Setting78FR4212-2013JAN18.pdf) (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”); FAQ E7, available at <http://www.uspto.gov/patents-application-process/appealing-patent-decisions/trials/patent-review-processing-system-prps-0#heading-10> (“[T]he petitioner may file in PRPS a request for a refund of any post-institution fee paid.”).



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Request for Refund of Fees was served on July 20, 2016 by email to:

James M. Glass  
John McKee  
Quinn Emanuel Urquhart & Sullivan LLP  
51 Madison Ave., 22nd Fl.  
New York, NY 10010  
jimglass@quinnemanuel.com  
johnmckee@quinnemanuel.com

Marc L. Kaplan  
Quinn Emanuel Urquhart & Sullivan LLP  
500 W. Madison St., Ste 2450  
Chicago, IL 60661  
marckaplan@quinnemanuel.com

/Dion M. Bregman/  
Dion M. Bregman  
USPTO Reg. No. 45,645