

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UMICORE AG & CO. KG

Petitioner

v.

BASF CORPORATION

Patent Owner

Case IPR2016-00613

US Patent 9,039,982

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

Petitioner Umicore AG & Co. KG (“Umicore” or “Petitioner”) filed its Petition for *Inter Partes* Review (“IPR”) in this case on February 17, 2016. The petition identified all 27 claims of U.S. Patent No. 9,039,982 as the claims at issue. (See Paper 1.) On August 31, 2016, and prior to issuance of an institution decision, the Board granted a joint motion to terminate and dismiss the IPR petition in view of a settlement between Petitioner and Patent Owner BASF Corp. (See Paper 9.)

Since Umicore’s petition addressed 27 claims, it was accompanied by a fee payment of \$27,400 that can be broken down as follows:

Fee	Amount
IPR Request fee (37 CFR § 42.15(1))	\$9,000
Fee for claims in excess of 20 in petition (37 CFR § 42.15(3))	\$1,400 (7 claims x \$200)
IPR Post-Institution fee (37 CFR § 42.15(2))	\$14,000
Fee for instituted claims in excess of 15 (37 CFR § 42.15(4))	\$4,800 (12 claims x \$400)
TOTAL	\$29,200

In view of the dismissal of the IPR petition prior to institution, Petitioner respectfully requests a refund of in the amount of **\$18,800**. This amount includes

the post-institution fee and the fee for instituted claims in excess of 15. Petitioner requests that the refund be credited to the deposit account of Orrick, Herrington, & Sutcliffe LLP: 15-0665.

Date: 9/30/2016

/ Elizabeth Gardner /

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CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES was served on September 30, 2016 via e-mail upon the following counsel of record for Patent Owner:

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