

Case No. IPR2016-00777
U.S. Patent No. 8,282,966

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRAXAIR DISTRIBUTION, INC. and NOxBOX LIMITED
Petitioner

v.

MALLINCKRODT HOSPITAL PRODUCTS IP LTD.
Patent Owner

Case No.: IPR2016-00777
U.S. Patent No. 8,282,966

**REQUEST FOR REFUND OF POST-INSTITUTION FEES
UNDER 37 C.F.R. § 1.925**

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND OF POST-INSTITUTION FEES

On March 23, 2016, Petitioner Praxair Distribution, Inc. and NOxBOX Limited filed a Petition for *Inter Partes* Review of U.S. Patent No. 8,282,966 (Paper 4) requesting review of twenty-nine (29) claims. Petitioner paid a fee of \$30,400.00, including: (i) \$9,000.00 for an *inter partes* review request fee for up to twenty (20) claims; (ii) \$1,800.00 for an *inter partes* review fee for request of nine (9) claims in excess of twenty (20); (iii) \$14,000.00 for an *inter partes* review post-institution fee up to fifteen (15) claims; and (iv) \$5,600.00 for an *inter partes* review post-institution fee for request of fourteen (14) claims in excess of fifteen (15). On September 22, 2016, the Board denied institution of *Inter Partes* Review (Paper 10). Petitioner therefore requests a refund of \$19,600.00 for the *inter partes* review post-institution fee of twenty-nine (29) claims under (iii) and (iv) above.

The Patent and Trial Appeal Board is hereby authorized to charge or refund any fees associated with this case to Deposit Account 02-1818.

Case No. IPR2016-00777
U.S. Patent No. 8,282,966

Respectfully submitted,

By: /Benjamin E. Weed/
Benjamin E. Weed (Reg. No. 65,939)
Customer No. 24573
Date: October 30, 2017
K&L GATES LLP
70 W. Madison Street, Suite 3100
Chicago, Illinois 60602
benjamin.weed.ptab@klgates.com
Telephone: (312) 781-7166
Facsimile: (312) 827-8152

Certification of Service Under 37 C.F.R. § 42.6(e)(4)

A copy of this Request for Refund of Post-Institution Fees has been served on the following counsel of record for Patent Owner at the following address on this 30th day of October, 2017:

Robert Steinberg
bob.Steinberg@lw.com
Latham & Watkins LLP
355 South Grand Avenue
Los Angeles, CA 90071

Daniel G. Brown
daniel.brown@lw.com
Latham & Watkins LLP
885 Third Avenue
New York, NY 10022

By: /Benjamin E. Weed/
Benjamin E. Weed (Reg. No. 65,939)
Customer No. 24573
Date: October 30, 2017
K&L GATES LLP
70 W. Madison Street, Suite 3100
Chicago, Illinois 60602
benjamin.weed.ptab@klgates.com
Telephone: (312) 781-7166
Facsimile: (312) 827-8152