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.: IPR2016-00781 U.S. Patent No. 8,846,112

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

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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. 8,846,112 (Paper 4) requesting review of nineteen (19) claims. Petitioner paid a fee of \$24,600.00, including: (i) \$9,000.00 for an inter partes review request fee for up to twenty (20) claims; (ii) \$14,000.00 for an inter partes review post-institution fee up to fifteen (15) claims; and (iii) \$1,600.00 for an inter partes review post-institution fee for request of four (4) claims in excess of fifteen (15). On August 25, 2016, the Board denied institution of *Inter Partes* Review (Paper 10). Petitioner therefore requests a refund of \$15,600.00 for the *Inter Partes* review post-institution fee of nineteen (19) claims under (ii) and (iii) above.

The Patent and Trial Appeal Board is hereby authorized to charge or refund any fees associated with this case to Deposit Account <u>02-1818</u>. Case No. IPR2016-00781 U.S. Patent No. 8,846,112

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 <u>benjamin.weed.ptab@klgates.com</u> 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:

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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 <u>benjamin.weed.ptab@klgates.com</u> Telephone: (312) 781-7166 Facsimile: (312) 827-8152