

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HP INC.,

Petitioner,

v.

MEMJET TECHNOLOGY LIMITED,

Patent Owner

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Case IPR2016-00790

Patent No. 8,678,550

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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. 8,678,550 on March 22, 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 12, 2016, the Board terminated this proceeding, as requested in the parties’ Joint Motion to Terminate Proceeding filed July 6, 2016 (Paper No. 7), noting that no decision on whether to institute a trial was made. *See* Paper 10.

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.”).

Accordingly, Petitioner hereby requests a refund of the \$14,000 post-institution fee that it previously paid. The refund may be deposited in Deposit Account No. 50-0310 under Order No. 069700-5008.

Dated: July 20, 2016

Respectfully submitted,

By  /Dion M. Bregman/

Dion M. Bregman

USPTO Reg. No. 45,645

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HP INC.

**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:

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