

THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP INC.,

Petitioner,

v.

MEMJET TECHNOLOGY LIMITED,

Patent Owner

Case IPR2016-00873

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 April 11, 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. 9), noting that no decision on whether to institute a trial was made. *See* Paper 12.

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 (“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. 069700-5011.

Dated: July 20, 2016

Respectfully submitted,

By /Dion M. Bregman/

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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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