

Attorney Docket Number: 2211726.00125US1
Filed on behalf of Unified Patents Inc.

By:

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

ADVANCED SILICON TECHNOLOGIES, LLC
Patent Owner

IPR2016-01060
Patent 8,933,945

REQUEST FOR REFUND OF POST-INSTITUTION FEE

Unified Patents Inc. (“Petitioner” or “Unified”) hereby files its request for a refund of the \$14,000 post-institution fee that was previously paid.

On May 19, 2016, Petitioner filed a petition for *inter partes* review of U.S. Patent 8,933,945 and paid the USPTO a total of \$23,000 at the time of filing this petition, which included a \$14,000 payment for the post-institution fee required by 37 C.F.R. §42.15(a)(1)–(2). The parties subsequently reached a settlement and filed a joint motion to terminate the proceedings on October 6, 2016. On October 10, 2016, the Board entered a Judgment, Termination of the Proceeding under 37 C.F.R. § 42.73, in which the Board granted the parties' joint motion to terminate the proceeding and thereby terminated the proceeding. The Board terminated the proceeding before institution of the *inter partes* review. The Petitioner is entitled to request a refund of the post-institution fee that was previously paid and is entitled to this refund. *See e.g.*, 78 Fed. Reg. 4233 (Jan. 18, 2013) *available at* <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (stating that "The entire post-institution fee would be returned to the petitioner if the Office does not institute a review."); Patent Review Processing System (PRPS) FAQ at E7 *available at* <http://www.uspto.gov/ip/boards/bpai/prps.jsp>.


For at least the reasons sets forth above, Unified files its request for a refund of the post-institution fee that was previously paid and hereby requests

a refund of the \$14,000 post-institution fee previously paid by Unified. The refund may be deposited in Deposit Account No. 08-0219 under attorney docket reference number 2211726.00125US1.

Therefore, Unified respectfully requests a refund of the *Inter Partes* Review IPR2016-01060 of U.S. Patent 8,933,945.

Date: October 11, 2016

Respectfully submitted,



Jonathan Stroud, Reg. No. 72,518
Chief Patent Counsel
Unified Patents Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Request for Refund for *Inter Partes* Review of U.S. Patent 8,933,945 was served on October 11, 2016 via electronic mail directed to the attorney of record for the patent at the following address: arizk@mintz.com, mtrenaud@mintz.com, and WAMeunier@mintz.com. Patent Owner has consented to electronic service.

Date: October 11, 2016

Respectfully submitted,



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