

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

R.J. Reynolds Vapor Company,

Petitioner

v.

Fontem Holdings 1 B.V.,

Patent Owner

Case IPR2016-01532
U.S. Patent No. 8,365,742

**PETITIONER'S REQUEST FOR REFUND OF
POST-INSTITUTION FEES**

Petitioner R.J. Reynolds Vapor Company (“Petitioner”) requests a refund of post-institution fees in the amount of \$14,000.00.

On August 5, 2016, Petitioner filed a Petition for *Inter Partes* review of U.S. Patent No. 8,365,742. As required by 37 C.F.R. § 42.15(a), Petitioner deposited \$23,000.00 with the U.S. Patent and Trademark Office (“USPTO”) at the time of filing the Petition to cover associated fees. Petitioner’s payment consisted of \$9,000.00 in fees associated with the request for *Inter Partes* review, and \$14,000.00 in post-institution fees.

On February 7, 2017, the Board issued a Decision Denying Institution of *Inter Partes* Review (Paper 9). On February 28, 2017, Petitioner filed Petitioner’s Request For Rehearing Pursuant To 37 C.F.R. § 42.71(d) (Paper 10). On March 23, 2017, the Board denied Petitioner’s Request for Rehearing (Paper 12). *Inter Partes* review was thus not instituted. Accordingly, Petitioner requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$14,000.00, to be paid to deposit account number 23-1925.

Respectfully submitted,

Dated: April 6, 2017

/s/ Robert Mallin
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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4)(i) *et seq.* and 42.105(b), the undersigned certifies that on April 6, 2017, a complete and entire copy of this Petitioner's Request For Refund Of Post-Institution Fees was served by electronic submission through the USPTO Patent Trial and Appeal Board End-to-End System and electronic mail upon:

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