

Filed on behalf of Unified Patents Inc.
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

DIGITAL AUDIO ENCODING SYSTEMS, LLC
Patent Owner

IPR2016-01710
Patent 7,490,037

REQUEST FOR REFUND OF POST-INSTITUTION FEE

Unified Patents Inc. (“Unified” or “Petitioner”) hereby files its request for a refund of the \$20,800 post-institution fee that was previously paid.

On September 2, 2016, Petitioner filed a petition for *inter partes* review of U.S. Patent 7,490,037 and paid the USPTO a total of \$32,200 at the time of filing this petition, which included a \$20,800 payment for the post-institution fee required by 37 C.F.R. §§ 42.15(a)(1)–(4). The filed *inter partes* review petition was granted a filing date on September 12, 2016. (Paper 3). The Board subsequently denied institution of *inter partes* review on February 28, 2017. (Paper 20). 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); PTAB E2E Frequently Asked Questions E7.

For at least the reasons set 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 \$20,800 post-institution fee previously paid by Unified.

The refund may be deposited in Deposit Account No. 50-6990 under reference “IPR2016-01710 (7,490,037)”.

Therefore, Unified respectfully requests a refund of the post-institution fee for *Inter Partes* Review of U.S. Patent 7,490,037, IPR2016-01710.

Date: November 10, 2017

Respectfully submitted,

/Vincent J. Galluzzo/
Vincent J. Galluzzo
Registration No. 67,830

Teresa Stanek Rea
Registration No. 30,427

Jonathan Stroud
Registration No. 72,518

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2017, I caused a true and correct copy of the foregoing materials:

- Request for Refund of Post-Institution Fee

to be served via e-mail on the following counsel of record for Patent Owner:

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