

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC,
Petitioner

v.

TIVO INC,
Patent Owner

Case IPR2016-01712
Patent 6,233,389

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Petitioner (Samsung Electronics Co., Ltd and Samsung Electronics America, Inc.) requests a refund in the amount of \$14,000.00 to be paid to deposit account number 06-1050.

On September 7, 2016, Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent No. 6,233,389 with the Patent Trial and Appeal Board that was assigned case number IPR2016-01712. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioner deposited an electronic payment in the amount of \$9,000.00 with the Board at the time of filing of its Petition to cover associated fees with Petitioner's *inter partes* review request, and a further \$14,000.00 in Post-Institution fees.

On January 10, 2017, the Patent Trial and Appeal Board entered an Order terminating the proceeding before institution of *inter partes* review. Accordingly, Petitioner requests a refund in the amount of \$14,000.00 for the post-institution fees that it has paid to the USPTO in connection with this proceeding.

Respectfully submitted,

Date: January 30, 2017

/Jeremy J. Monaldo/
Jeremy J. Monaldo, Reg. No 58,680
Fish & Richardson P.C.

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on January 30, 2017, a complete and entire copy of this Petitioner's Request for Refund of Post-Institution Fees was provided via email to the Patent Owner by serving the correspondence email address of record as follows:

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