

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,

Patent Owner.

Case No. IPR2016-01897

Patent No. 9,253,239 B2

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

The petition for *inter partes* review of U.S. Patent No. 9,253,239 B2 (Case No. IPR2016-01897) was instituted by a Decision issued by the PTAB on April 5, 2017 (Paper No. 17). The proceeding has since been terminated due to settlement by an Order issued by the PTAB on October 25, 2017 (Paper 31).

If the Board decides to institute a review for fewer claims than requested, the petitioner may request a refund for the post-institution excess claim fees paid.

In light of the above circumstances, Petitioner hereby requests a refund in the total amount of \$400 for the *inter partes* post-institution excess claim fees previously paid by Petitioner in connection with this proceeding.

The determination of the above refund is based on the following. On September 30, 2016, Petitioner filed a petition for *inter partes* review of claims 1-25 of U.S. Patent No. 9,253,239 B2 (IPR2016-01897, Paper No. 2), accompanied by a total payment of \$28,000 in accordance with the fee schedule specified in 37 C.F.R. § 42.15(a). On April 5, 2017, the Board decided to institute review for claims 1-19 and 21-25, but not claim 20. Accordingly, Petitioner is entitled to a refund for one post-institution excess claim fee paid.

<i>Inter Partes</i> review request fee:	\$9,000.00
<i>Inter Partes</i> review request of each claim in excess of 20:	\$1,000.00
<i>Inter Partes</i> review post-institution fee:	\$14,000.00
<i>Inter Partes</i> post-institution request of each claim in excess of 15:	\$4,000.00
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Total fees paid:	\$28,000.00

Under the Board's current practice, Petitioner is entitled to a refund of the above listed *inter partes* **post-institution excess claim fees** in the total amount of \$400.00.

Accordingly, Petitioner respectfully requests that the Board grant this request for refund of the *inter partes* post-institution fees, and credit a refund in the amount of \$400.00 to Petitioner's EFT account, or Deposit Account No. 50-0665.

Dated: December 14, 2017

Respectfully submitted,

/Chun M. Ng/

Lead Counsel

Chun M. Ng, Reg. No. 36,878

Back-up Counsel

Matthew C. Bernstein, *Pro Hac Vice*

Patrick J. McKeever, Reg. No. 66,019

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Evan S. Day, Reg. No. 75,992

Attorneys for Microsoft Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing
PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES has
been served in its entirety this 14th day of December, 2017 by electronic mail on
the Patent Owner via its attorneys of record:

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Dated: December 14, 2017

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