

Paper No. ____
Date Filed: February 13, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, Inc.
Petitioner

v.

Personalized Media Communications, LLC
Patent Owner

Case No.: IPR2017-00142
Patent No.: 7,752,649

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Pursuant to the Office's procedure and fee schedule (37 C.F.R. § 42.15(a)), Petitioner VIZIO, Inc. ("VIZIO") requests a refund of post-institution fees in the amount of \$21,600.

On October 26, 2016, Petitioner filed a petition (*see* Paper 1) for *inter partes* review of U.S. Patent No. 7,752,649 requesting review of thirty-four (34) claims. Petitioner paid a fee of \$33,400.00, including (i) \$9,000.00 for an *inter partes* review request fee pursuant to 37 C.F.R. § 42.15(a)(1); (ii) \$14,000.00 for an *inter partes* review post-institution fee pursuant to 37 C.F.R. § 42.15(a)(2); (iii) \$2,800.00 for requesting review of fourteen (14) claims in excess of twenty (20) claims pursuant to 37 C.F.R. § 42.15(a)(3); and (iv) \$7,600.00 for requesting review of nineteen (19) claims in excess of fifteen (15) claims pursuant to 37 C.F.R. § 42.15(a)(4).

On January 5, 2017, the parties filed a Joint Motion to Terminate the Proceedings. *See* Paper 7. The Board granted the parties' motion on January 24, 2017. *See* Paper 9. In accordance with the Office's procedure,¹ Petitioner requests a refund of \$21,600.00 for the fees paid by Petitioner for items (ii) and (iv) above, to be paid to Deposit Account No. 50-2310.

¹ *See* <https://www.uspto.gov/patents-application-process/appealing-patent-decisions/trials/patent-review-processing-system-prps-0#heading-10>, FAQs E7 and G10, last visited Jan. 27, 2017.

Respectfully submitted,

Dated: February 13, 2017

/s/ Cono A. Carrano

Cono A. Carrano (Reg. No. 39,623)
David C. Vondle (Reg. No. 54,515)
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, NW
Washington, D.C. 20036
Phone: (202) 887-4000
Fax: (202) 887-4288
Attorneys For VIZIO, Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that it caused to be served a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES** on Patent Owner's counsel of record via email as follows:

Dmitry Kheyfits
dkheyfits@kheyfits.com

Andrey Belenky
abelenky@kheyfits.com

Date: February 13, 2017

Respectfully submitted,

By: /s/ Cono A. Carrano
Cono A. Carrano (Reg. No. 39,623)