#### UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_\_

#### BEFORE THE PATENT TRIAL AND APPEAL BOARD

# FORD MOTOR COMPANY Petitioner,

V.

## VERSATA DEVELOPMENT GROUP, INC. Patent Owner.

\_\_\_\_\_

U.S. Patent No. 7,882,057 to Little et al.

IPR Case No.: IPR2017-00150

\_\_\_\_\_

### REQUEST FOR REFUND OF THE POST INSTITUTION FEE

On October 28, 2016, Ford Motor Company ("Petitioner") filed a Petition for *Inter Partes* Review seeking review of claims 17, 30, and 44-46 of U.S. Patent No. 7,882,057. Patent Owner, Versata Software, Inc., submitted its Preliminary Response on February 8, 2017 (Paper No. 6). On July 6, 2017, the Patent Trial and



Attorney Docket No. FPGP0129IPR4

Appeal Board issued its Judgment denying Petitioner's Request for Rehearing. Paper No. 9 at p. 14 ("Accordingly, it is hereby: ORDERED that Petitioner's Requests for Rehearing in IPR2017-00144 and IPR2017-00146 through IPR2017-00151 are denied.").

The Rules provide for a refund of the institution fee if the Board does not institute trial. Payment of the \$14,000 post-institution fee was processed through PRPS on October 28, 2016, and charged to Deposit Account 06-1510. Petitioner hereby requests a refund of \$14,000 for the post-institution fee under 37 C.F.R. § 42.15(a)(2).

Upon review and approval of this request, Petitioner respectfully requests that the Board credit the post-institution fee to Deposit Account 06-1510.

Respectfully submitted,

Dated: July 17, 2017

/Christopher C. Smith/
John S. LeRoy (Reg. No. 48,158)
Thomas A. Lewry (Reg. No. 30,770)
Frank A. Angileri (Reg. No. 36,733)
John P. Rondini (Reg. No. 64,949)
Christopher C. Smith (Reg. No. 59,669)
Jonathan D. Nikkila (Reg. No. 74,694)

Brooks Kushman P.C.
1000 Town Center, 22<sup>nd</sup> Floor
Southfield, MI 48075
(248) 358-4400

Attorneys for Petitioner



### **Certificate of Service**

The undersigned hereby certifies that on July 17, 2017, a copy of **PETITIONER'S REQUEST FOR REFUND OF THE POST INSTITUTION FEE**, was served via electronic mail to PTAB@skgf.com which includes those individuals shown below:

Robert Greene Sterne (Lead Counsel)
Salvador M. Bezos (Back-up Counsel)
Joseph E. Mutschelknaus (Back-up Counsel)
Jonathan Tuminaro (Back-up Counsel)
Kent B. Chambers (Back-up Counsel)
Sharoon Saleem (Back-up Counsel)

Respectfully submitted,

/Christopher C. Smith/
John S. LeRoy (Reg. No. 48,158)
Thomas A. Lewry (Reg. No. 30,770)
Frank A. Angileri (Reg. No. 36,733)
John P. Rondini (Reg. No. 64,949)
Christopher C. Smith (Reg. No. 59,669)
Jonathan D. Nikkila (Reg. No. 74,694)

Brooks Kushman P.C.
1000 Town Center, 22<sup>nd</sup> Floor
Southfield, MI 48075
(248) 358-4400

Attorneys for Petitioner

