

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.

Petitioner,

v.

PAICE LLC and
THE ABELL FOUNDATION, INC.,

Patent Owner.

Case IPR2017-00237

Patent 8,214,097

PETITIONER REQUEST FOR REFUND OF POST-INSTITUTION FEES

Pursuant to 37 C.F.R. § 1.26, Petitioner respectfully requests a refund of the post-institution fees paid with its Petition for *Inter Partes* Review.

On November 14, 2016, Petitioner filed a Petition for *Inter Partes* Review of claims 21, 27, 30, 32, 33, and 37 of U.S. Patent No. 8,214,097. Petitioner submitted therewith the *inter partes* review request fee of \$9,000.00, pursuant to 37 C.F.R. § 42.15(a)(1), and the *inter partes* review post-institution fee of \$14,000.00, pursuant to 37 C.F.R. § 42.15(a)(2).

On February 2, 2017, pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74, the parties filed a joint motion to terminate the *inter partes* review (Paper 7). On February 14, 2017, the Board granted the joint motion to terminate the proceeding (Paper 10), without instituting any *inter partes* review.

Accordingly, Petitioner respectfully requests a refund of \$14,000.00 for the post-institution fee, to be applied to Deposit Account No. 600701.

Respectfully Submitted,

Dated: February 14, 2017

By: /Clifford A. Ulrich/
Michael J. Lennon (Reg. No. 26,562)
Clifford A. Ulrich (Reg. No. 42,194)

CERTIFICATE OF SERVICE

The foregoing Petitioner Request for Refund of Post-Institution Fees was served on February 14, 2017, via electronic mail upon the following:

Peter Lambrianakos: plambrianakos@brownrudnick.com

Alfred R. Fabricant: afabricant@brownrudnick.com

Shahar Harel: sharel@brownrudnick.com

Vincent J. Rubino, III: vrubino@brownrudnick.com

Brown Rudnick LLP
7 Times Square
New York, NY 10036

/Clifford A. Ulrich/

Clifford A. Ulrich, Backup Counsel for Petitioner
Reg. No. 42,194

Michael J. Lennon (Reg. No. 26,562) Lead Counsel
Clifford A. Ulrich (Reg. No. 42,194) Backup Counsel