

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Alkermes, Inc.
Petitioner,

v.

Otsuka Pharmaceutical Co., Ltd.
Patent Owner

Patent No. 9,125,939 B2

Inter Partes Review No. IPR2017-00287

**REQUEST FOR REFUND OF POST-INSTITUTION FEE FOR
IPR2017-00287**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Petitioners Alkermes Pharma Ireland, Ltd. and Alkermes, Inc. (collectively, “Alkermes”) respectfully request a refund of \$14,000, the post-institution fee initially paid for its Petition for *Inter Partes* Review of U.S. Patent 9,125,939 (“the ‘939 patent”), assigned case number IPR2017-00287.

II. STATEMENT OF FACTS

On November 17, 2016, Alkermes filed a Petition for *Inter Partes* Review of claims 2, 6, 7 and 9 patent under 35 U.S.C. §§ 311-319 and 37 C.F.R. §§ 42.1-.80, 24.100-.123. On May 4, 2017, the Board denied institution.

Because no trial has been instituted in this IPR, Petitioner hereby requests a refund of \$14,000, the post-institution fee paid pursuant to 37 C.F.R. § 42.15(a)(2). Payment of the post-institution fee was processed through PTAB E2E on November 18, 2016, and charged to the undersigned’s Deposit Account No. 506989. Upon review and approval of this request, Petitioner respectfully requests that the Board credit \$14,000 to Deposit Account No. 506989.

Case No. IPR2017-00287
Request for Refund of Post Institution Fee

Dated: June 6, 2017

Respectfully submitted,

/Theresa C. Kavanaugh/
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Counsel for Petitioners

CERTIFICATION OF SERVICE

The undersigned hereby certifies that “REQUEST FOR REFUND OF POST-INSTITUTION FEE FOR *INTER PARTES* REVIEW IPR2017-00287” was served by electronic mail on this 6th day of June, 2017 on the following:

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Dated: June 6, 2017

/Sarah Fink/
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