

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SANDVINE CORPORATION AND SANDVINE INCORPORATED ULC,
Petitioners

v.

PACKET INTELLIGENCE, LLC,
Patent Owner.

Case No. IPR2017-00450
U.S. Patent No. 6,771,646

PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES

Sandvine Corporation and Sandvine Incorporated ULC (“Petitioners”) filed a petition for *Inter Partes* Review of seventeen (17) claims of U.S. Patent No. 6,771,646 on December 21, 2016 (Paper No. 2). At the time of filing, Petitioners submitted a fee of \$23,800.00, consisting of a \$9,000.00 request fee, a \$14,000.00 *inter partes* review post-institution fee, and \$800.00 *inter partes* post-institution of each claim in excess of 15 in accordance with 37 C.F.R. § 42.15(a). On November 17, 2017, the Board denied Petitioners’ request for rehearing (Paper No. 11) of the Board’s decision denying institution of the *inter partes* review (Paper No. 8). In view of the Board’s termination of this proceeding, Petitioner respectfully requests a refund of the *inter partes* review post-institution fee of \$14,800.00 that was submitted with its petition pursuant to 37 C.F.R. § 42.15(a)(2) as set forth in the Board’s Final Rule, *Setting and Adjusting Patent Fees*, 78 Fed. Reg. 4212, 4234-35 (Jan. 18, 2013) (authorizing refunds of post-institution fees for proceedings terminated prior to institution). Petitioner requests that the refund be deposited in Deposit Account No. 50-6159.

Dated: January 4, 2018

Respectfully submitted,

BY: /s/ Eric A. Buresh
Eric A. Buresh, Reg. No. 50,394
Mark C. Lang, Reg. No. 55,356

Kathleen D. Fitterling, Reg. No. 62,950
6201 College Blvd., Suite 300
Overland Park, KS 66211
P: (913) 777-5600
F: (913) 777-5601
eric.buresh@eriseip.com
mark.lang@eriseip.com
kathleen.fitterling@eriseip.com

Abran J. Kean, Reg. No. 58,540
5600 Greenwood Plaza Blvd., Suite 200
Greenwood Village, CO 80111
Phone: (913) 777-5600

ATTORNEYS FOR PETITIONERS

**CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.6**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on January 4, 2018, the foregoing *Petitioners' Request For Refund Of Post-Institution Fees* was served electronically via e-mail on the following:

Steven W. Hartsell Reg. No: 58,788

Skiermont Derby LLP

2200 Ross Ave., Suite 4800W

Dallas, Texas 75201

Tel: (214) 978-6600

Fax: (214) 978-6601

packetintelligence@skiermontderby.com

Lead Counsel for Patent Owner

Alexander E. Gasser (Reg. No: 48,760)

Skiermont Derby LLP

2200 Ross Ave., Suite 4800W

Dallas, Texas 75201

Tel: (214) 978-6600

Fax: (214) 978-6601

packetintelligence@skiermontderby.com

Back-Up Counsel for Patent Owner

Paul J. Skiermont

Skiermont Derby LLP

2200 Ross Ave., Suite 4800W

Dallas, Texas 75201

Tel: (214) 978-6600

Fax: (214) 978-6601

packetintelligence@skiermontderby.com

Back-Up Counsel for Patent Owner

Sadaf R. Abdullah

Skiermont Derby LLP

2200 Ross Ave., Suite 4800W

Dallas, Texas 75201

Tel: (214) 978-6600

Fax: (214) 978-6601

packetintelligence@skiermontderby.com

Back-Up Counsel for Patent Owner

BY: /s/ Mark C. Lang

Mark C. Lang, Reg. No. 55,356

ATTORNEYS FOR PETITIONERS