

IPR2017-00558  
U.S. Patent No. 7,915,375  
Petitioner's Request for Refund of Post-Institution Fee

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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VIZIO, Inc.  
Petitioner

v.

Nichia Corporation  
Patent Owner

Case No. IPR2017-00558

**PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE**

IPR2017-00558  
U.S. Patent No. 7,915,375  
Petitioner's Request for Refund of Post-Institution Fee

Petitioner VIZIO, Inc. (“VIZIO”) hereby files its request for a refund of the \$14,000 post-institution fee that was previously paid by Petitioner in association with the above-referenced proceeding.

On December 30, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 7,915,375 and paid the USPTO a total of \$23,000, which included \$9,000 for the request fee and \$14,000 for the post-institution fee.

On July 7, 2017, the Board entered its Decision on Institution (Paper No. 9), in which the Board denied the petition and no *inter partes* review was instituted.

Therefore, because *inter partes* review was not instituted, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See, e.g.*, U.S. Patent & Trademark Office, 78 Fed. Reg. 13, 4234 (Jan. 18, 2013) (37 C.F.R. Pt. 1, 41 and 42) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (“The Office also chooses to return fees for post-institution services if a review is not instituted.”).

Petitioner American Express respectfully requests that the refund of the \$14,000 post-institution fee previously paid by Petitioner be deposited in Deposit Account No. 503672 of White & Case LLP.

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Date: August 10, 2017

Respectfully submitted,

David M. Tennant/  
David M. Tennant, Reg. No. 48,362

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*Counsel for Petitioner VIZIO, Inc.*

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §§ 42.6 and 42.300, I hereby certify that on this August 10, 2017, a copy of the foregoing Petitioner's Request for Refund of Post-Institution Fee was delivered via electronic mail to the attorney of record for the Patent Owner at the following address:

Catherine Nyarady  
Paul, Weiss, Rifkind, Wharton & Garrison LLP  
cnyarady@paulweiss.com

The Patent Owner has agreed to electronic service in this proceeding.

Date: August 10, 2017

Respectfully submitted,  
/David M. Tennant/  
David M. Tennant  
White & Case LLP

*Counsel for Petitioner VIZIO, Inc.*