

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION, SONY MOBILE COMMUNICATIONS (USA) INC.,
SONY MOBILE COMMUNICATIONS AB & SONY MOBILE
COMMUNICATIONS INC.,
Petitioners,

v.

CREATIVE TECHNOLOGY LIMITED,
Patent Owner.

Case No. IPR2017-00595
Patent No. 6,928,433

PETITIONERS' REQUEST FOR REFUND

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4211, 4233-34 (Jan. 18, 2013), Petitioners hereby request refund of the *Inter Partes* Review Post Institution Fee in the amount of \$14,400.00 to be paid to Petitioners' credit card.

On January 6, 2017, Petitioners filed a Petition for *Inter Partes* Review of claims 2, 3, 5, 7, 17-28 of U.S. Patent No. 6,928,433 with the Patent Trial and Appeal Board that was assigned case number IPR2017-00595. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioners submitted payment in the amount of \$9,000.00 with the Board at the time of filing of its Petition to cover fees associated with Petitioner's *Inter Partes* Review request, and a further \$14,400.00 in Post-Institution fees.

On May 26, 2017, the Board entered a Decision denying institution of the Petition for *Inter Partes* Review (Paper No. 12). Accordingly, Petitioners' request a refund of \$14,400.00 for the post-institution fees that they have paid to the USPTO in connection with the instant proceeding. See 78 Fed. Reg. 4211, 4233-34 ("The Office also chooses to return fees for post institution services should a review not be institutedThe USPTO also sets the inter partes review post-institution fee at \$14,000 for a review of up to 15 claims. This fee would be returned to the petitioner if the Office does not institute a review. Likewise, the Office sets a per claim fee of \$400 for review of each claim in excess of 15 during

the post-institution trial. The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”).

Dated: 4/30/2018

Respectfully submitted,
Sony Corporation et al.

/Randy J. Pritzker/

By _____

Michael N. Rader, Reg. No. 52,146

Randy J. Pritzker, Reg. No. 35,986

Andrew J. Tibbetts, Reg. No. 65,139

WOLF GREENFIELD & SACKS, P.C.

600 Atlantic Ave.

Boston, MA 02210-2206

Tel: 617-646-8000/Fax: 617-646-8646

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (e)(4)

I certify that on April 30, 2018, I will cause a copy of the foregoing document, including any exhibits or appendices referred to therein, to be served via electronic mail, as previously consented to by Patent Owner, upon the following:

Jonathan D. Baker
Russell Swerdon

JBaker@farneydaniels.com
russ_swerdon@creativelabs.com
CreativeZen@farneydaniels.com

Date: April 30, 2018

/MacAulay S. Rush/
MacAulay S. Rush
Patent Paralegal
WOLF GREENFIELD & SACKS, P.C.