

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES, INC.,

Petitioner,

v.

Godo Kaisha IP Bridge 1,
Patent Owner.

IPR2017-00850

Patent 7,126,174 B1

MOTION FOR REFUND OF POST-INSTITUTION FEE

Before JUSTIN T. ARBES, MICHAEL J. FITZPATRICK, and
JENNIFER MEYER CHAGNON, Administrative Patent Judges

ARBES, Administrative Patent Judge

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Trial and Appeal Board U.S. Patent
and Trademark Office P.O. Box 1450
Alexandria, VA 22313-1450

Submitted Electronically via the Patent Review Processing System

Petitioner hereby requests a refund of the **\$14,000** for the post-institution fee that was previously paid on February 3, 2017. Petitioner filed a petition for *inter partes* review of U.S. Patent No. 7,126,174 on February 3, 2017, and paid the USPTO \$23,000 on that date which includes the \$9,000 *inter partes* review request fee and the \$14,000 post-institution fee, as required by 37 C.F.R. §42.15(a).

On March 2, 2017, Petitioner filed an Unopposed Motion To Dismiss Petition For Inter Partes Review, (Paper No. 11). On March 10, 2017, the Board granted the motion and dismissed the petition, thereby terminating the proceeding. (Paper No. 12). Since this case was in the preliminary proceeding stage and no institution decision was rendered, Petitioner is entitled to a refund of the \$ 14,000 for the post institution fee. *See e.g.*, 78 FR 4234 (January 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (“if the review is not instituted at all, the portion of the fee covering the trial would be returned”). For at least the foregoing reasons, Petitioner hereby requests a refund of the \$14,000 post-institution fee that it previously paid.

The refund may be deposited in GLOBALFOUNDRIES, Inc. Deposit
Account No. 50-6826.

Date: March 22, 2017

Respectfully Submitted by:

/Kent J. Cooper/

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*Lead Counsel for Petitioner
GLOBALFOUNDRIES, INC.*

CERTIFICATION OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing:

MOTION FOR REFUND OF POST-INSTITUTION FEE

was served by electronic mail on this 22nd day of March, 2017, upon Counsel for the Patent Owner, as follows:

Michael J. Fink (mfink@gbpatent.com); and
Neil F. Greenblum (ngreenblum@gbpatent.com); and
Arnold Turk (aturk@gbpatent.com)

Respectfully submitted,

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