

IPR2017-00904
Request for Refund

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INNOPHARMA LICENSING, LLC,
Petitioner

v.

ASTRAZENECA AB,
Patent Owner

Case IPR2017-00904
Patent No. 6,774,122

PETITIONER'S REQUEST FOR REFUND

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

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Petitioner InnoPharma Licensing, LLC (“InnoPharma”) hereby requests a refund of \$14,000. InnoPharma filed a petition for *inter partes* review of U.S. Patent No. 6,774,122 on February 17, 2017, and paid the USPTO \$23,000 on that date, including the \$9,000 *inter partes* review request fee and the \$14,000 post-institution fee.

On August 30, 2017, the Board issued a decision denying institution of the *inter partes* review. Since this case was in the preliminary proceeding stage and no institution of a trial was made, InnoPharma is entitled to a refund of the \$14,000 for the post-institution fee. *See* 78 FED. REG. 4,212, 4,234 (Jan. 18, 2013) (“[I]f the review is not instituted at all, the portion of the fee covering the trial would be returned”). InnoPharma therefore requests a refund of the \$14,000 post-institution fee that it previously paid.

The refund may be deposited in Wiley Rein LLP Deposit Account No. 50-1129, with reference to Attorney Docket No. 86850.0004.

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Respectfully submitted,

WILEY REIN LLP

By: /Mark Pacella, #46,974/
Mark Pacella, Reg. No. 46,974

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**CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.105(A)**

I certify that a copy of the foregoing PETITIONER'S REQUEST FOR REFUND was served on October 25, 2017 by causing it to be sent by email to counsel for Patent Owner at the following email addresses:

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Dated: October 25, 2017

By: /Mark Pacella, #46,974/
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