

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

COSMO TECHNOLOGIES LIMITED,
Patent Owner.

Case IPR2017-01034
Patent No. 8,784,888

PETITIONER'S REQUEST FOR REFUND OF IPR FEES

Petitioner Mylan Pharmaceuticals Inc. (“Mylan”) requests a refund in the amount of \$ 14,000 to be paid to Deposit Acct. No. 160605 (Customer ID No. 00826) pursuant to the U.S. Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4234-35 (Jan. 18, 2013).

On March 9, 2017, Mylan filed a Petition for *inter partes* review against U.S. Patent No. 8,784,888, proceeding IPR2017-01034. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Mylan deposited an electronic payment in the amount of \$ 23,000 with the PTO at the time of filing its Petition. Mylan’s payment consisted of \$ 9,000 in fees associated with Mylan’s *inter partes* review request, and a further \$ 14,000 in Post-Institution fees.

Mylan and Patent Owner Cosmo Technologies, Inc. (“Cosmo”) entered into a settlement agreement. Accordingly, on September 20, 2017, the parties jointly moved to terminate this proceeding pursuant to 35 U.S.C. § 317(a), 37 C.F.R. § 42.72, and 37 C.F.R. § 42.74.

On September 20, 2017, the Board entered a decision to terminate proceeding IPR2017-01034. Accordingly, Mylan requests a refund in the amount of \$14,000 for the Post-Institution fees.

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RESPECTFULLY SUBMITTED,

Date: October 16, 2017

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*Lead Counsel for Petitioner
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CERTIFICATION OF SERVICE

The undersigned certifies a copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF IPR FEES** was served on October 16, 2017 via electronic mail directed to the counsel of record for the Patent Owner at the following:

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Respectfully submitted,

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