

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

IMAGE PROCESSING TECHNOLOGIES LLC,
Patent Owner.

Case IPR2017-01189
Patent 6,959,293

Before JONI Y. CHANG, MIRIAM L. QUINN, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

CHANG, *Administrative Patent Judge*.

PETITIONER'S REQUEST FOR REFUND OF FEES

Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc., (“Petitioner”) hereby requests a refund of the \$17,600 post-institution fee that it previously paid. Petitioner filed a petition for *inter partes* review of U.S. Patent No. 6,959,293 on March 30, 2017, and paid the USPTO \$27,400 on that date, including a \$9,800 payment for the *inter partes* review request fee and a \$17,600 payment for the post-institution fee, as required by 37 C.F.R. §42.15(a)(2). On August 18, 2017, the Board issued a Decision, Denying Institution of *Inter Partes* Review. *See* Paper 9.

Based on the Board’s decision, Petitioner requests a refund in the amount of the post-institution fees that it paid for post-institution services. *See* 78 FR 4212, 4233 (January 18, 2013), available at http://www.uspto.gov/sites/default/files/aia_implementation/AC54_Final_Rule_Setting78FR4212-2013JAN18.pdf (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”); FAQ E7, available at <http://www.uspto.gov/patents-application-process/appealing-patent-decisions/trials/patent-review-processing-system-prps-0> (“[T]he petitioner may file in PRPS a request for a refund of any post-institution fee paid.”).

Accordingly, Petitioner respectfully requests that the Board refund to Deposit Account number 50-2862 the \$17,600 post-institution fee that Petitioner previously paid.

Dated: August 23, 2017

Respectfully Submitted,

/s/ John Kappos
John Kappos (Reg. No. 37,861)

CERTIFICATE OF SERVICE

The undersigned certifies pursuant to 37 C.F.R. § 42.6(e) and § 42.105 that on August 23, 2017, a true and correct copy of this **PETITIONER'S REQUEST FOR REFUND OF FEES** was served via Priority Mail Express® on the Petitioner at the following correspondence address of record:

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Courtesy copies were also sent to Patent Owner's litigation counsel via electronic mail:

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