

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 IPR2017-01212
Patent 8,989,445

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 \$16,800 post-institution fee that it previously paid. Petitioner filed a petition for *inter partes* review of U.S. Patent No. 8,989,445 on March 30, 2017, and paid the USPTO \$26,200 on that date, including a \$9,400 payment for the *inter partes* review request fee and a \$16,800 payment for the post-institution fee, as required by 37 C.F.R. §42.15(a)(2). On July 24, 2017, the Board granted Parties’ Joint Motion to Terminate Proceeding. *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 \$16,800 post-institution fee that Petitioner previously paid.

Dated: July 25, 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 July 25, 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:

Gregory Nelson
FOX ROTHSCHILD LLP
222 Lakeview Avenue, Suite 700
West Palm Beach, FL 33401

Gregory Nelson
FOX ROTHSCHILD LLP
997 Lennox Drive, Bld. 3
Lawrenceville, NJ 08648

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

Christopher J. Coulson
Rose Cordero Prey
Mark Chapman
ANDREWS KURTH KENYON LLP
One Broadway
New York, NY 10004
ChrisCoulson@AndrewsKurthKenyon.com
RosePrey@AndrewsKurthKenyon.com
MarkChapman@AndrewsKurthKenyon.com

Michael N. Zachary
ANDREWS KURTH KENYON LLP
1801 Page Mill Road, Suite 210
Palo Alto, CA 94304
MichaelZachary@AndrewsKurthKenyon.com

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