

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc.,
Petitioner,

v.

Saint Lawrence Communications LLC,
Patent Owner

IPR2017-01244
Patent 6,807,524

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE

Petitioner Apple Inc. (“Petitioner”) hereby files its request for a refund of the \$22,000 post-institution fee that was previously paid.

On April 4, 2017, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 6,807,524 and paid the USPTO a total of \$34,000 for review of 35 claims, which included a \$12,000 payment for the *inter partes* review request fee (including \$3,000 for the 15 claims in excess of 20) and a \$22,000 payment for the post-institution fee (including \$8,000 for the 20 claims in excess of 15).

The petition was granted a filing date of April 4, 2017 (Paper No. 5). On October 25, 2017, the Board entered a Decision – Termination Decision Document (Paper No. 8), and on December 26, 2018 the Board entered a Decision – Denying Request for Rehearing (Paper No. 10), in which the Board ordered that the Petition be dismissed. Accordingly, the *inter partes* review was never instituted.

Therefore, because the petition to institute *inter partes* review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See e.g.*, 78 FR 4233 (January 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”).

Petitioner hereby requests a refund of the previously-paid \$22,000 post-institution fee. The refund may be deposited in Deposit Account No. 08-1394 of Haynes and Boone, LLP under attorney reference number 52959.38.

Respectfully submitted,

Dated: January 23, 2018

/Scott T. Jarratt/

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Patent Owner as detailed below.

Date of service January 23, 2018

Manner of service Electronic Mail

Document served Petitioner's Request for Refund of Post-Institution Fee

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