

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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International Business Machines Corporation  
Petitioner,

v.

EnvisionIT, LLC  
Patent Owner

Patent No. 8,438,221

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*Inter Partes* Review No. IPR2017-01247

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**REQUEST FOR REFUND OF POST-INSTITUTION FEE FOR  
IPR2017-01247**

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

**I. STATEMENT OF THE PRECISE RELIEF REQUESTED**

Petitioner International Business Machines Corporation (“IBM”) respectfully requests a refund of \$14,000, the post-institution fee initially paid for its Petition for *Inter Partes* Review of U.S. Patent 8,438,221 (“the ’221 patent”), assigned case number IPR 2017-01247.

**II. STATEMENT OF FACTS**

On April 6, 2017 IBM filed a Petition for *Inter Partes* Review of claim 19 of the ’221 patent under 35 U.S.C. §§ 311-319 and 37 C.F.R. §§ 42.1-.80, 24.100-.123. On October 16, 2017, the Board denied institution.

Because no trial has been instituted in this IPR, Petitioner hereby requests a refund of \$14,000, the post-institution fee paid pursuant to 37 C.F.R. § 42.15(a)(2). Payment of the post-institution fee was processed through PTAB E2E on April 7, 2017, and charged to the undersigned’s Deposit Account No. 506989. Upon review and approval of this request, Petitioner respectfully requests that the Board credit \$14,000 to Deposit Account No. 506989.

Case No. IPR2017-01247  
Request for Refund of Post Institution Fee

Dated: November 14, 2017

Respectfully submitted,

/Mark J. Abate/

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*Counsel for Petitioner*

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that “REQUEST FOR REFUND OF POST-INSTITUTION FEE FOR *INTER PARTES* REVIEW IPR2017-01247” was served by electronic mail on this 14th day of November 2017 on counsel for Patent Owner at the following address:

pchassman@reedsmith.com

Dated: November 14, 2017

/Sarah Fink/  
Sarah Fink