UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

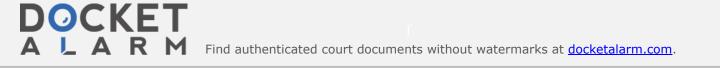
APPLE, INC. Petitioner

v.

VOIP-PAL.COM, INC. Patent Owner

IPR2017-01398 Patent 9,179,005 B2

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES



Petitioner Apple Inc. ("Petitioner") filed a petition for Inter Partes Review of fifteen (15) claims of U.S. Patent 9,179,005 on May 9, 2017 (Paper No. 2). At the time of filing, Petitioner submitted a fee of \$23,000.00, consisting of a \$9,000.00 inter partes review request fee and a \$14,000.00 inter partes review post-institution fee in accordance with 37 C.F.R. § 42.15(a). On November 20, 2017, the Board denied institution of the inter partes review (Paper No. 6). In view of the Board's termination of this proceeding prior to issuing an institution decision, Petitioner respectfully requests a refund of the inter partes review post-institution fee of \$14,000.00 that was submitted with its petition pursuant to 37 C.F.R. § 42.15(a)(2) as set forth in the Board's Final Rule, Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4234-35 (Jan. 18, 2013) (authorizing refunds of post-institution fees for proceedings terminated prior to institution). Petitioner requests that the refund be deposited in Deposit Account No. 50-6159.

Respectfully submitted,

ERISE IP, P.A.

BY: <u>/s/ Adam P. Seitz</u> Adam P. Seitz, Reg. No. 52,206 Eric A. Buresh, Reg. No. 50,394 6201 College Blvd., Suite 300 Overland Park, KS 66211 P: (913) 777-5600 F: (913) 777-5601 adam.seitz@eriseip.com eric.buresh@eriseip.com Request for Refund of Post-Institution Fees, IPR2018-01286 U.S. Patent 7,769,830

> Paul R. Hart, Reg. No. 59,646 5600 Greenwood Plaza Blvd Suite 200 Greenwood Village, CO 80111 P: (913) 777-5600 F: (913) 777-5601 paul.hart@eriseip.com

ATTORNEYS FOR PETITIONER APPLE INC.

CERTIFICATE OF SERVICE ON PATENT OWNER <u>UNDER 37 C.F.R. § 42.6</u>

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on March 25, 2019 the foregoing *Petitioner's Request for Refund of Post-Institution Fees* was served via electronic filing with the Board and via Electronic Mail on the following practitioners of record for Patent Owner:

Kerry S. Taylor John M. Carson Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvin, CA 92614 BoxDigifonica@knobbe.com

> /s/ Adam P. Seitz Adam P. Seitz, Reg. No. 52,206

ATTORNEY FOR PETITIONER