

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,

Patent Owner.

Case No. IPR2017-01616

Patent No. 9,641,644 B2

**PETITIONER'S REQUEST FOR REFUND OF
POST-INSTITUTION FEE**

The *inter partes* review proceeding under Case No. IPR2017-01616 was terminated by a written order issued by the PTAB on November 2, 2017 in response to a joint motion to terminate proceedings filed by the parties due to a settlement agreement (Decision, Paper 9; Joint Motion, Paper 7). The termination was made during the preliminary stage of the *inter partes* review proceeding, and was before the PTAB's institution decision.

In light of the above circumstances, Petitioner hereby requests a refund in the total amount of \$34,000 for the *inter partes* post-institution fee previously paid by Petitioner in connection with this proceeding.

The determination of the above refund is based on the following. On June 21, 2017, Petitioner filed a petition for *inter partes* review of claims 1-65 of U.S. Patent No. 9,641,644 B2 (IPR2017-01616, Paper 2), accompanied by a total payment of \$52,000 in accordance with the fee schedule specified in 37 C.F.R. § 42.15(a):

<i>Inter partes</i> review request fee:	\$9,000.00
<i>Inter partes</i> review request of each claim in excess of 20:	\$9,000.00
<i>Inter partes</i> review post-institution fee:	\$14,000.00
<i>Inter partes</i> post-institution request of each claim in excess of 15:	\$20,000.00
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Total fees paid:	\$52,000.00

Under the Board's current practice, Petitioner is entitled to a refund of the above listed *inter partes* **post-institution fee** in the total amount of \$34,000.

Accordingly, Petitioner respectfully requests that the Board grant this request for refund of the *inter partes* post-institution fee, and credit a refund in the amount of \$34,000 to Petitioner's EFT account or Deposit Account No. 50-0665.

Dated: December 14, 2017

Respectfully submitted,

/Chun M. Ng/

Lead Counsel

Chun M. Ng, Reg. No. 36,878

Back-up Counsel

Matthew C. Bernstein, *Pro Hac Vice*

Patrick J. McKeever, Reg. No. 66,019

Vinay P. Sathe, Reg. No. 55,595

Evan S. Day, Reg. No. 75,992

Miguel J. Bombach, Reg. No. 68,636

Attorneys for Microsoft Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing
PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES has
been served in its entirety this 14th day of December, 2017 by electronic mail on
the Patent Owner via its attorneys of record:

ANDREWS KURTH KENYON LLP
Chris Coulson - ccoulson@andrewskurthkenyon.com
Clifford Ulrich - culrich@andrewskurthkenyon.com
Bradiumiprservice@andrewskurthkenyon.com

Dated: December 14, 2017

Respectfully submitted,

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Attorneys for Microsoft Corporation