

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARGENTUM PHARMACEUTICALS LLC

Petitioner

v.

ICOS CORPORATION,

Patent Owner

U.S. Patent No. 6,943,166 B1

Inter Partes Review No. IPR2017-01762

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

The petitioner Argentum Pharmaceuticals LLC (“Argentum”) requests a refund of the \$14,000 institution fee paid when the *inter partes* review petition was filed in IPR2017-01762 on July 12, 2017. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner and Patent Owner jointly requested termination on August 28, 2017 and IPR2017-01762 was terminated on September 3, 2017. Argentum therefore requests refund of the entire \$14,000 institution fee. *See* 78 Fed. Reg. 4212, 4233 (Jan. 18, 2013) (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”); *see also* PTAB E2E Frequently Asked Questions, G10 (“If the proceeding is terminated before institution and the petition was filed on or after March 19, 2013, the petitioner may file a request for a refund of the post-institution fee paid.”).

The refund may be paid by crediting the credit card used to pay the institution fee on July 12, 2017; by crediting Laurence & Phillips IP Law LLP’s deposit account no. 50-6921; by check made to Argentum Pharmaceuticals LLC and mailed to the lead attorney (Kevin Laurence, Laurence & Phillips IP Law LLP, 1940 Duke Street, Suite 200, Alexandria, VA 22314); or by any other means acceptable to the Office.

Respectfully submitted,

Date: Oct. 10, 2017

/Kevin B. Laurence/

Kevin B. Laurence
Lead Counsel for Petitioner
Registration No. 38,219

CERTIFICATE OF SERVICE

I hereby certify that on Oct. 4, 2017, a copy of the foregoing
PETITIONER'S REQUEST FOR REFUND OF INSTITUTION FEE and all
documents filed with it were served via email upon the following counsel of record
for the patent owner, as consented to by said counsel:

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Dated: October 10, 2017

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