

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,

Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,

Patent Owner.

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Case No. IPR2017-01818

Patent No. 9,641,645 B2

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

The *inter partes* review proceeding under Case No. IPR2017-01818 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 8; Joint Motion, Paper 6). 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 \$22,400 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 July 20, 2017, Petitioner filed a petition for *inter partes* review of claims 1-36 of U.S. Patent No. 9,641,645 B2 (IPR2017-01818, Paper 2), accompanied by a total payment of \$34,600 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:	\$3,200.00
<i>Inter partes</i> review <b>post-institution</b> fee:	\$14,000.00
<i>Inter partes</i> <b>post-institution</b> request of each claim in excess of 15:	\$8,400.00
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Total fees paid:	\$34,600.00

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 \$22,400.

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 \$22,400 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  
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Bradiumiprservice@andrewskurthkenyon.com

Dated: December 14, 2017

Respectfully submitted,

*/Chun M. Ng/*

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