

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUIZ FOOD PRODUCTS, INC.,

PETITIONER,

v.

MACROPOINT LLC,

PATENT OWNER.

Case IPR2017-02016

Patent 8,275,358

**REQUEST FOR REFUND OF
INTER PARTES REVIEW POST-INSTITUTION FEES**

On August 31, 2017, Petitioner Ruiz Food Products Inc. filed a Petition for *Inter Partes* Review of U.S. Patent No. 8,275,358 in the above-captioned case and paid \$20,000.00 for the required *Inter Partes* Review Post-Institution fees in accordance with 37 C.F.R. § 42.15(a)(2) and (a)(4). On February 14, 2019, the Board “determine[d] institution of the Petitions was barred.” Paper 25 at 15. On July 2, 2019, Petitioner appealed the Board’s decision to the Federal Circuit. *See* Paper 30. On June 24, 2020 the Federal Circuit dismissed Petitioner’s appeal, upholding the Board’s determination that institution was barred.

Accordingly, Petitioner respectfully requests a refund of the *Inter Partes* Review Post-Institution fees, totaling \$20,000.00, paid in accordance with 37 C.F.R. § 1.925. Please apply the refund to the Deposit Account No. 50-1662, referencing Polsinelli Docket No. 082473-495242-IPR.

Date: November 5, 2020

Respectfully submitted,

/James P. Murphy/
POL SINELLI PC
James P. Murphy
Reg. No. 55,474
POL SINELLI PC
1000 Louisiana Street,
Suite 6400
Houston, Texas 77002

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6(e)(4)

The undersigned hereby certifies that a copy of the foregoing **REQUEST FOR REFUND OF *INTER PARTES* REVIEW POST-INSTITUTION FEE** has been served via Electronic Mail on November 5, 2020 upon the following:

Mark Johnson
mjohnson@rennerotto.com

Luis Carrion
lcarrion@rennerotto.com

Kyle Fleming
kfleming@rennerotto.com

/Sabrina Alaniz/
Sabrina Alaniz
POLSINELLI PC
1000 Louisiana, Sixty-Fourth Floor
Houston, Texas 77002
Tele: (713) 374-1600
Fax: (713) 374-1601