

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUIZ FOOD PRODUCTS, INC.,

PETITIONER,

v.

MACROPOINT LLC,

PATENT OWNER.

Case IPR2017-02018

Patent 9,429,659

**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. 9,429,659 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 27. 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 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/

James P. Murphy

Reg. No. 55,474

POLSINELLI PC

1000 Louisiana Street,

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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:

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