UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUPIN LTD. and LUPIN PHARMACEUTICALS INC. Petitioners,

v.

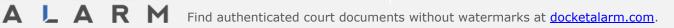
HORIZON THERAPUETICS, LLC Patent Owner.

> IPR2018-00459 U.S. Patent No. 9,561,197

REQUEST FOR REFUND OF POST-INSTITUTION FEES

Mail Stop PATENT BOARD Patent Trial and Appeal Board United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

DOCKET



1. STATEMENT OF THE PRECISE RELIEF REQUESTED

Petitioners Lupin Ltd. and Lupin Pharmaceuticals, Inc. respectfully requests a refund of \$14,000, the post-institution fee paid for the Petition for *Inter Partes* Review of U.S. Patent 9,561,197 ("the '197 patent"), assigned case number IPR2018-00459. A refund is appropriate because, prior to any institution decision from the Board, the Board granted the parties' Joint Motion to Terminate *Inter Partes* Review, and terminated the proceeding. (Paper No. 12.)

2. **STATEMENT OF FACTS**

On January 12, 2018, Petitioner filed a Petition for *Inter Partes* Review of the '197 patent. On May 23, 2018, Patent Owner filed a Patent Owner Preliminary Response.

On July 9, 2018, pursuant to the Board's authorization, the parties filed a Joint Motion to Terminate *Inter Partes* Review. On July 25, 2018, the Board granted the joint motion and terminated the proceeding. (Paper No. 12.)

Because the proceeding was terminated prior to institution, Petitioners hereby request a refund of \$14,000, the full amount of the post-institution fee paid by Petitioners. Payment of the fee was processed through Financial Manager, and posted to Deposit Account No. 506989 on January 16, 2018.

Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

3. CONCLUSION

Upon review and approval of this request, Petitioners respectfully request that the Board credit the \$14,000 post-institution fee to Deposit Account No. 506989.

Dated: August 14, 2018

Respectfully submitted,

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Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 14th day of August 2018, I

caused the foregoing "REQUEST FOR REFUND OF POST-INSTITUTION

FEES" to be served by electronic mail on the following:

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