

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WATERS TECHNOLOGIES CORPORATION
Petitioner,

v.

BIOMEDICAL DEVICE CONSULTANTS & LABORATORIES OF
COLORADO, LLC
Patent Owner.

Case No. IPR2018-00498
Patent 9,186,224

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioner Waters Technologies Corporation requests a refund of post-institution fees in the amount of \$14,000.00.

Petitioner filed an *inter partes* review petition on January 15, 2018, which was assigned case number IPR2018-00498. As required by 37 CFR § 42.15(a) then in effect, Petitioner deposited a fee of \$23,000.00 with the U.S. Patent and Trademark Office at the time of filing the petition. Petitioner's fee consisted of \$9,000.00 in fees associated with the Request for the *Inter Partes* Review of U.S. Patent 9,186,224 and \$14,000.00 in post-institution fees.

On May 25, 2018, the Patent Trials and Appeals Board issued a written order to dismiss the petition in this proceeding. (Decision; Paper No. 7). The dismissal was granted in response to a Joint Motion to Terminate the Proceedings (Motion; Paper No. 6) and occurred during the preliminary stage of the proceeding, prior to an institution decision. Accordingly, Petitioner Waters Technologies Corporation requests a refund of the post-institution fees (\$14,000.00) paid in connection with the filing of the petition. Petitioner requests that the refund be returned to Deposit Account No. 09-0528.

Dated: June 5, 2018

Respectfully submitted,

By: /Deborah M. Vernon, Reg. No. 55,699/
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that, on June 5, 2018, I caused a true and correct copy of:

- Petitioner's Request for Refund of Post-Institution Fees

to be served via electronic mail at the following address provided by patent owner:

Docketing-DV@dorsey.com

BDC-WatersIPR@dorsey.com

Dated: June 5, 2018

/Tricia A. Troup/

Tricia A. Troup, Paralegal
Womble Bond Dickinson (US) LLP