

IPR2018-00717
Patent No. 9,492,393 B2
Request for Refund of Post-Institution Fees
Attorney Docket No. KASHIV 7.1R-005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KASHIV PHARMA, LLC,
Petitioner,

v.

PURDUE PHARMA L.P.,
THE P.F. LABORATORIES, INC., and
PURDUE PHARMACEUTICALS L.P.,
Patent Owners.

Case IPR2018-00717
U.S. Patent No. 9,492,393 B2

REQUEST FOR REFUND OF POST-INSTITUTION FEES

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Petitioner Kashiv Pharma, LLC respectfully requests a refund of \$16,200, the post-institution fee paid for the Petition for Inter Partes Review of U.S. Patent No. 9,492,393 (“the ’393 Patent”), assigned case number IPR2018-00717. A refund is appropriate because, prior to any institution decision from the Board, the Board granted the parties’ Joint Motion to Terminate and terminated this proceeding. (Paper No. 24.)

II. STATEMENT OF FACTS

On February 28, 2018, Petitioner filed a Petition for *Inter Partes* Review of the ’393 Patent. (Paper No. 1.) On June 22, 2018, Patent Owners filed a Patent Owner Preliminary Response. (Paper No. 15.)

On August 9, 2018, pursuant to the Board’s authorization, the parties filed a Joint Motion to Terminate Pursuant To 35 U.S.C. § 317 and 37 C.F.R. §§ 42.5, 42.71(a), 42.72, and 42.74. (Paper No. 22.) On August 21, 2018, the Board granted the joint motion and terminated the proceeding. (Paper No. 24.)

Because the proceeding was terminated prior to institution, Petitioner hereby requests a refund of \$16,200, the full amount of the post-institution fee paid by Petitioner. Payment of the fee was processed through Financial Manager, and posted to Deposit Account No. 12-1095 on February 28, 2018.

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III. CONCLUSION

Upon review and approval of this request, Petitioner respectfully requests that the Board credit the \$16,200 post-institution fee to Deposit Account No. 12-1095.

Respectively submitted,

Dated: August 29, 2018

By: s/ Tedd Van Buskirk /
Tedd W. Van Buskirk
Reg. No. 46,282

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing **REQUEST FOR REFUND OF POST-INSTITUTION FEES** was served in its entirety by filing these documents through the PTAB E2E System as well as by e-mail to the following counsel of record on August 29, 2018:

VIA E-MAIL

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