

UNITED STATES PATENT AND TRADEMARK OFFICE

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IN THE UNITED STATES PATENT TRIAL AND APPEAL BOARD

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BLUEHOUSE GLOBAL LTD.

Petitioner

v.

SEMICONDUCTOR ENERGY LABORATORY CO., LTD.

Patent Owner

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CASE IPR2018-01362

U.S. PATENT NO. 8,492,840 B2

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**PETITIONER'S REQUEST FOR REFUND  
OF POST-INSTITUTION FEES**

**Mail Stop Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Petitioner BlueHouse Global Ltd. hereby requests refund of its post-institution fees in the amount of \$15,000 deposited in the above matter on July 9, 2018 for the following reasons:

1. Petitioner filed its Petition for *Inter Partes* Review on July 9, 2018 in the above matter. At that time, Petitioner deposited with the PTAB the *Inter Partes* Review request and post-institution fees in the total amount of \$30,500. The fees were charged to Taft Stettinius & Hollister LLP's deposit account number 501438.

2. On January 10, 2019, the PTAB terminated *Inter Partes Review* IPR2018-01362 by entering adverse judgment against Petitioner. The PTAB did not institute a trial in IPR2018-01362.

3. Petitioner is entitled to the requested refund because the post-institution fee is only for use by the PTAB should the PTAB institute a trial. The U.S. Patent & Trademark Office expressly provided for return of this fee in its fee rulemaking. The fee is to be returned when the Office does not institute a review: "Th[e post-institution] fee would be returned to the petitioner if the Office does not institute a review." 78 Fed. Reg. 4212, 4233 (Jan. 18, 2013); *see also* Frequently Asked Questions, E7, PTABE2E, July 11, 2016.

For the foregoing reasons, Petitioner requests refund of the post-institution fee of \$15,000.

Dated: January 15, 2019

Respectfully submitted,

/Ryan O. White /  
Ryan O. White  
Reg. No. 45,541  
Lead Counsel for Petitioner