

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**ZTE (USA), INC.**

**Petitioner,**

**v.**

**FRACTUS S.A.,**

**Patent Owner.**

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**IPR No. IPR2018-01461**

**U.S. Patent No. 9,054,421**

**Issue Date: June 9, 2015**

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

Petitioner ZTE (USA), Inc. (“Petitioner”) respectfully requests a refund of Post-Institution Fees in the amount of \$15,000.

On August 3, 2018, Petitioner filed a Petition seeking *Inter Partes* Review of 13 claims of U.S. Patent No. 9,054,421. As required by 37 C.F.R. § 42.15(a), Petitioner deposited \$30,500 with the U.S. Patent and Trademark Office (“USPTO”) at the time of filing to cover associated fees. Petitioner’s payment consisted of \$15,500 in fees associated with the request for *Inter Partes* Review, and \$15,000 in Post-Institution Fees (\$15,000 for the Post-Institution Fee under 37 C.F.R. § 42.15(a)(2) and \$0 for the Post-Institution Claim Fees under 37 C.F.R. § 42.15(a)(4)).

On October 3, 2019, the Board issued a Decision Denying Petitioner’s Request for Rehearing and Denying Institution of *Inter Partes Review* of all 13 claims challenged in the Petition (Paper 20). Accordingly, Petitioner requests a refund of the Post-Institution Fees paid to the USPTO under 37 C.F.R. § 42.15(a)(4) in connection with this proceeding, totaling \$15,000, to be paid to deposit account number 23-1925.

Respectfully submitted,  
BRINKS GILSON & LIONE

October 31, 2019

\_\_\_\_\_  
Date

/ James R. Sobieraj/

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James R. Sobieraj

**CERTIFICATE OF SERVICE**

I certify that, on October 31, 2019, I caused a true and correct copy of the foregoing Petitioner's Request for Refund of Post-Institution Fees to be served electronically on the following:

js@usiplaw.com  
pjf@usiplaw.com  
mjd@usiplaw.com

Respectfully submitted,

**BRINKS GILSON & LIONE**

October 31, 2019

Date

/ James R. Sobieraj/

James R. Sobieraj