

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,

Petitioner

v.

TRACBEAM, LLC

Patent Owner

Case IPR2018-01723

Patent 7,525,484 B2

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE

Petitioner Cisco Systems, Inc. ("Petitioner") hereby files its request for a refund of the \$15,000 post-institution fee that was previously paid.

On September 14, 2018, Petitioner filed a petition for inter partes review of U.S. Patent No. 7,525,484 B2 and paid the USPTO a total of \$30,500, which included a \$15,500 payment for the inter partes review request fee and a \$15,000 payment for the post-institution fee.

The petition was granted a filing date of September 14, 2018. (Paper No. 3). On November 26, 2018 Petitioner filed an Unopposed Joint Motion to Dismiss Petition (Paper 6), authorized by the Board via email on November 16, 2018, to dismiss its IPR petition and terminate IPR2018-01723 regarding U.S. Patent No. 7,525,484 B2 in which Patent Owner Tracbeam, LLC conferred. The Board subsequently entered an Order Dismissing the Proceeding (Paper 8), in which the Board terminated the proceeding as to all parties. Accordingly, the inter partes review was never instituted.

Therefore, because the petition to institute inter partes review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. See e.g., 78 FR 4233 (January 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> ("The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.").

Petitioner hereby requests a refund of the \$15,000 post-institution fee previously paid by Petitioner. The refund may be deposited in Deposit Account No. 08-1394 of Haynes and Boone, LLP under attorney reference number 43614.321US01.

Dated: January 28, 2019

Respectfully submitted,

/David L. McCombs/
David L. McCombs
Counsel for Petitioner
Reg. No. 32,271
HAYNES AND BOONE, LLP
Tel: (214) 651-5533

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Cisco Systems, Inc.	§	Petition for <i>Inter Partes</i> Review
Petitioner	§	
v.	§	IPR2018-01723
Tracbeam, LLC	§	
Patent Owner	§	U.S. Patent No. 7,525,484 B2

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6, that service was made on the Patent Owner as detailed below.

Date of service January 28, 2019

Manner of service Electronic Service by E-Mail: Sean@Dovel.com;
Ssereboff@socalip.com

Documents served Petitioner's Request for Post-Institution Fees

Persons served Sean A. Luner
DOVEL & LUNER, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401

Steven C. Sereboff
SOCAL IP LAW GROUP LLP
310 N. Westlake Blvd., Suite 120
Westlake Village, CA 91362

/David L. McCombs/
David L. McCombs
Counsel for Petitioner
Registration No. 32,271