

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALIGN TECHNOLOGY, INC.
Petitioner

v.

3SHAPE A/S
Patent Owner

Case No. IPR2019-00118
Patent No. 9,962,244

**PETITIONER ALIGN TECHNOLOGY, INC.'S
REQUEST FOR REFUND OF FEES**

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

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4211, 4233-34 (Jan. 18, 2013), Align Technology, Inc. ("Petitioner") requests a refund in the amount of \$15,000 to be paid to deposit account number 19-0036.

On November 5, 2018, Petitioner filed a Petition for *Inter Partes* Review seeking review of U.S. Patent No. 9,962,244 (assigned case number IPR2019-00118) (Paper 1). On May 14, 2019, the Board denied institution.

The Rules provide for a refund of the post-institution fee if the Board does not institute trial. Payment of the \$15,000 post-institution fee under 37 C.F.R. § 42.15(a)(2) was processed through PTAB E2E on November 5, 2018.

Accordingly, Petitioner requests a refund of the post-institution fees of \$15,000 that were previously charged to Deposit Account No. 19-0036 (Customer ID No. 45324) in connection with this proceeding.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Jason D. Eisenberg (Reg. No. 43,447)
Attorney for Petitioner

Date: September 5, 2019
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER ALIGN TECHNOLOGY, INC.'S REQUEST FOR REFUND OF FEES** was served electronically via e-mail on September 5, 2019, in its entirety on the following counsel of record for Patent Owner:

Todd R. Walters (Lead counsel)
Roger H. Lee (Backup counsel)
Andrew Cheslock (Backup counsel)
Mythili Markowski (Backup counsel)
Adam R. Banes (Backup counsel)
BUCHANAN INGERSOLL & ROONEY PC
Todd.Walters@bipc.com
Roger.Lee@bipc.com
Andrew.cheslock@bipc.com
mythili.markowski@bipc.com
adam.banes@bipc.com

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Jason D. Eisenberg (Reg. No. 43,447)
Attorney for Petitioner

Date: September 5, 2019
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

13762464_1.docx