

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BASF CORPORATION

Petitioner

v.

INGEVITY SOUTH CAROLINA, LLC

Patent Owner

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Case IPR2019-00202  
Patent RE38,844

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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 & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Petitioner, BASF Corporation, hereby requests a refund of post-institution fees in the amount of \$28,800. *See* 78 Fed. Reg. 4,212, 4,233 (January 18, 2013) (“This fee would be returned to the petitioner if the Office does not institute a review.”); *see also* Frequently Asked Questions, E7, PTABE2E (“[T]he petitioner may file in PTAB E2E a request for a refund of any post-institution fee paid.”).

On November 5, 2018, Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent RE38,844. As required by 37 C.F.R. § 42.15(a), Petitioner deposited \$49,700.00 with the U.S. Patent and Trademark Office (“USPTO”) at the time of filing the Petition to cover associated fees. Petitioner’s payment consisted of \$20,900 in fees associated with the request for *Inter Partes* Review, and a further \$28,800 payment in post-institution fees as required by 37 C.F.R. 42.15(a)(2).

On May 13, 2019, the Board issued an Order Denying Institution of *Inter Partes* Review as to all challenged claims, and no trial is instituted (Paper 10) and on October 17, 2019, the Board issued a Decision Denying Petitioner’s Request for Rehearing of Institution Decision (Paper 13). Accordingly, Petitioner requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$28,800, to be paid to deposit account number 110980 (referencing Customer No. 154690 and Attorney Docket No. 22572.112006).

IPR2019-00202  
Patent No. RE38,844

Respectfully submitted,

KING & SPALDING LLP

/Lori A. Gordon/

Lori A. Gordon  
Registration No. 50,633  
Attorney for BASF Corporation

Date: March 18, 2020

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES** was served via electronic mail on March 18, 2020, in its entirety on the following:

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