

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Axis Communications AB, Canon Inc., and Canon U.S.A., Inc.,

Petitioner,

v.

Avigilon Fortress Corporation,

Patent Owner.

Case: IPR2019-00235
U.S. Patent No. 7,868,912

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

On November 12, 2018, Axis Communications AB, Canon Inc., and Canon U.S.A., Inc. (“Petitioner”) filed a Petition for *Inter Partes* Review of U.S. Patent No. 7,868,912 (“the ’912 Patent”) and paid the USPTO a total of \$47,000, which included a \$15,000 *inter partes* review post-institution fee and a \$12,000 *inter partes* review post-institution excess claim fee for review of claims 1-4 and 6-36 of the ’912 Patent (35 total claims).

The Petition was afforded a filing date of November 12, 2018. (Paper 7). On June 4, 2019, the Board entered a decision denying institution of the requested *inter partes* review as to all challenged claims of the ’912 Patent. (Paper 19). On July 1, 2019, Petitioner filed a request for rehearing (Paper 20) and requested Precedential Opinion Panel (“POP”) review of the Board’s decision not to institute *inter partes* review (Ex. 3002). On January 9, 2020, Petitioner’s request for POP review was denied. On June 26, 2020, Petitioner’s request for rehearing was denied (Paper 24).

Therefore, Petitioner hereby requests a refund of the \$27,000 post-institution fees submitted with the Petition. *See, e.g.*, 82 Fed. Reg. 52817 (Nov. 14, 2017). Petitioner respectfully requests that the Board credit the post-institution fees paid for the 35 challenged claims to Deposit Account No. 06-0916.

Dated: June 30, 2020

By: /C. Gregory Gramenopoulos/
C. Gregory Gramenopoulos
Reg. No. 36,532

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP

901 New York Avenue, NW
Washington, DC 20001-4413
Tel. 202.408.4263; Fax 202.408.4400

gramenoc@finnegan.com

Attorney for Petitioner
Axis Communications AB

By: /Joseph A. Calvaruso/
Joseph A. Calvaruso
Reg. No. 28,287

ORRICK, HERRINGTON & SUTCLIFFE
LLP

51 West 52nd Street
New York, NY 10019-6142
Tel. 212.506.5140; Fax 212.506.5151

jcalvaruso@orrick.com

Attorney for Petitioners
Canon Inc. and Canon U.S.A., Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Petitioner's Request for Refund of Post-Institution Fees** was served on June 30, 2020, via email directed to counsel of record for Patent Owner at the following:

Reza Dokhanchy
Adam R. Alper
Akshay S. Deoras
Kirkland & Ellis LLP
555 California Street
San Francisco, CA 94104
reza.dokhanchy@kirkland.com
adam.alper@kirkland.com
akshay.deoras@kirkland.com

Michael W. De Vries
Kirkland & Ellis LLP
333 Hope Street
Los Angeles, CA 90071
michael.devries@kirkland.com

Avigilon_Axis@kirkland.com

Date: June 30, 2020

By: /William Esper/
William Esper
Legal Assistant
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP