

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FOUNDATION MEDICINE, INC.,

Petitioner,

v.

GUARDANT HEALTH, INC.,

Patent Owner.

Case No. IPR2019-00636

U.S. Patent No. 9,902,992

**PETITIONER'S REQUEST FOR REFUND OF
THE POST-INSTITUTION PETITION FEE**

Petitioner Foundation Medicine, Inc. respectfully requests a refund in the amount of \$20,400.00 for post-institution filing fees paid in this proceeding to be credited to Deposit Account 602052. On February 1, 2019, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 9,902,992, which was assigned case number IPR2019-00636. Among the fees paid concurrently with filing the petition was \$20,400.00 in post-institution fee, as shown below:

Show Payments						
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Transaction Date	Payment Method	Description	Fee Code	Quantity	Fee Amount	Fee Total
02/01/2019 19:29:35	DA602052	Inter Parties Review Request Of Each Claim In Excess Of 20	1407	4	\$300	\$1,200
02/01/2019 19:29:35	DA602052	Inter Parties Review Request Fee- UP TO 20 Claims	1406	1	\$15,500	\$15,500
02/01/2019 19:29:35	DA602052	Inter Parties Post-Institution Request Of Each Claim In Excess Of 15	1415	9	\$600	\$5,400
02/01/2019 19:29:35	DA602052	Inter Parties Review Post-Institution Fee	1414	1	\$15,000	\$15,000

On August 20, 2019, the Patent Trial and Appeal Board (“Board”) issued a Decision denying institution of IPR2019-00636 (Paper No. 10). On September 18, 2019, Petitioner filed a Request for Rehearing of the Board’s Decision (Paper No. 11), and on December 20, 2019, the Board entered a Decision denying Petitioner’s Request for Rehearing (Paper No. 14). Accordingly, Petitioner requests a refund in the amount of \$20,400.00 for the post-institution fee paid in connection with this proceeding.

Respectfully submitted,

Date: December 26, 2019

By: /Rolando Medina/

Rolando Medina, Reg. No. 54,756
Eric J. Marandett, *pro hac vice* to be filed
Margaret E. Ives, *pro hac vice* to be filed
Stephanie L. Schonewald, Reg. No. 72,452
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER'S REQUEST FOR REFUND OF THE POST-INSTITUTION PETITION FEE** was served electronically in its entirety on December 26, 2019 via electronic mail to the following attorneys of record:

- mrosato@wsgr.com
- sparmelee@wsgr.com
- sgerrard@wsgr.com

Respectfully submitted,

Date: December 26, 2019

By: /Rolando Medina/

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