

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

OMNI MEDSCI, INC.,
Patent Owner.

Case IPR2019-00913
Patent 9,651,533

**REQUEST FOR REFUND OF POST-INSTITUTION FEES FOR
INTER PARTES REVIEW**

On April 10, 2019, Apple Inc. (“Petitioner”) filed a Petition for *Inter Partes* Review of U.S. Patent No. 9,651,533 under 35 U.S.C. § 103 and 37 C.F.R. § 42.100 *et seq.* (“Petition,” Paper No. 1), seeking review of claims 5, 7-10, 13 and 15-17 of the ’533 patent. On October 16, 2019, the Patent Trial and Appeal Board issued a decision denying institution (Paper No. 14).

Petitioner hereby requests a refund of \$15,000 for the Post-Institution Fee under 37 C.F.R. § 42.15(a)(2) (\$15,000) submitted with the filing of the Petition. *See, e.g.*, 78 Fed. Reg. 4233, 4234-35 (Jan. 18, 2013).

Payment of \$15,000 in Post-Institution Fees was processed through PRPS on April 10, 2019, and charged to the undersigned’s Deposit Account No. 50-1597. Upon review and approval of this request, Petitioner respectfully requests that the Board credit \$15,000 to our Deposit Account No. 50-1597 under Order No. 41484-80520.

Date: January 22, 2020

Respectfully submitted,

/Jeffrey P. Kushan/
Jeffrey P. Kushan (Reg. No. 43,401)
Sidley Austin LLP
1501 K Street, NW
Washington, D.C. 20005
jkushan@sidley.com
(202) 736-8914
Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of January, 2019, a copy of this Request for Refund of Post-Institution Fees for *Inter Partes* Review, has been served in its entirety by e-mail on the following counsel of record for patent owner:

Thomas A. Lewry
John S. LeRoy
Robert C.J. Tuttle
John M. Halan
Christopher C. Smith
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Telephone (248) 358-4400
OMSC0111IPR1@brookskushman.com

Respectfully submitted,

/Jeffrey P. Kushan/
Jeffrey P. Kushan