

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

MAHLE FILTER SYSTEMS NORTH AMERICA, INC.

Petitioner

v.

INGEVITY SOUTH CAROLINA, LLC

Patent Owner

Case No. 2019-00960

Patent RE38,844

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, MAHLE FILTER SYSTEMS NORTH AMERICA, INC., 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 April 9, 2019, 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 \$28,800 in post-institution fees as required by 37 C.F.R. 42.15(a)(2).

On October 17, 2019, the Board issued an Order Denying Institution of *Inter Partes* Review as to all challenged claims, and no trial was instituted (Paper 10). 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 230457 (with reference to Customer Number 24335 and Attorney Docket No. 152774.167807).

IPR2019-00960
Patent RE38,844

Dated: April 10, 2020

Respectfully submitted,

MAHLE Filter Systems North America, Inc.

By **/Randall J. Peck/**

Randall J. Peck, Reg. No. 66,147

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248-785-5045

Certificate of Service
37 C.F.R. § 42.6(e)(4)

I certify that on April 10, 2020, I am causing a copy of this PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES to be served via electronic mail upon the following:

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Dated: April 10, 2020

Respectfully submitted,

MAHLE Filter Systems North America, Inc.

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