

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ERICSSON INC.,

Petitioner

v.

UNILOC 2017 LLC,

Patent Owner

IPR2019-01550
U.S. Patent No. 7,016,676

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioner Ericsson Inc. (“Petitioner”) hereby files its request for a refund of the \$15,000.00 post-institution fees which was previously paid.

On August 29, 2019, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 7,016,676 and paid the USPTO a total of \$30,500.00, which included a \$15,500.00 payment for the *inter partes* review request fee and a \$15,000.00 payment for the post-institution fee.

The petition was granted a filing date of September 19, 2019. (Paper No. 5). On March 17, 2020 the Board entered a Decision – Denying Institution of *Inter Partes* Review (Paper No. 8). Accordingly, the *inter partes* review was never instituted.

Therefore, because the petition to institute *inter partes* review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See, e.g.*, 78 FR 4233 (Jan. 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”).

Petitioner hereby requests a refund of the \$15,000.00 post-institution fee previously paid by Petitioner. The refund may be deposited in Deposit Account No. 08-1394 of Haynes and Boone, LLP under attorney reference number 26069.63US01.

Petitioner's Request for Refund of Post-Institution Fee
IPR2019-01550 / Patent No. 7,016,676

Dated: May 28, 2020

Respectfully submitted,

/J. Andrew Lowes/
J. Andrew Lowes
Lead Counsel for Petitioner
Registration No. 40,706

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that a true and correct copy of the foregoing "***PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES***" was served on the Patent Owner as detailed below:

Date of service May 28, 2020

Manner of service Electronic Mail to: ryan@etheridgelaw.com
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Documents served ***PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES***

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Respectfully submitted,

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