

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ERICSSON INC.,

Petitioner

v.

UNILOC 2017 LLC,

Patent Owner

IPR2020-00420
U.S. Patent No. 6,868,079

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 January 17, 2020, Petitioner filed a petition for inter partes review of U.S. Patent No. 6,868,079 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 January 17, 2020. (Paper No. 3). On June 18, 2020 the Board entered a Decision – Denying *Inter Partes* Review (Paper No. 7). 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 26069.65US01.

Petitioner's Request for Refund of Post-Institution Fee
IPR2020-00420 / Patent No. 6,868,079

Dated: October 5, 2020

Respectfully submitted,

/J. Andrew Lowes/

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

HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Telephone: 972-680-7557
Facsimile: 214-200-0853

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 October 5, 2020

Manner of service Electronic Mail to: ryan@etheridgelaw.com;
brett@etheridgelaw.com; jim@etheridgelaw.com;
brian@etheridgelaw.com; jeff@etheridgelaw.com

Documents served **PETITIONER'S REQUEST FOR REFUND OF POST-*INSTITUTION FEES***

Persons Served Ryan Loveless
Brett Mangrum
James Etheridge
Brian Koide
Jeffrey Huang
Etheridge Law Group
2600 E. Southlake Blvd., Suite 120-423
Southlake, TX 76092

Respectfully submitted,

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