

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA LLC,
Petitioner

v.

MACNEIL IP LLC,
Patent Owner

Case IPR2020-01138
Patent 8,382,186

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

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4,211, 4,233-34 (Jan. 18, 2013), Petitioner requests a refund in the amount of \$15,000.00 to be paid to deposit account number 19-0036.

On June 30, 2020, Petitioner filed a Petition for *Inter Partes* Review seeking review of claims 1-7 of U.S. Patent No. 8,382,186 (assigned case number IPR2020-01138) (Paper 3). On January 13, 2021, the Board issued a Decision Denying Institution of *Inter Partes* Review (Paper 17). Trial was never instituted in this proceeding.

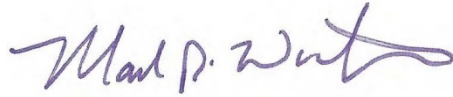
The Rules provide for a refund of the institution fee if the Board does not institute trial. Payment of the \$15,000.00 post-institution fee under 37 C.F.R. § 42.15(a)(2) in this proceeding was processed through PTAB E2E on June 30, 2020.

Relief requested:

Accordingly, Petitioner requests a refund in the amount of \$15,000.00 for the post-institution fee that it has paid to the USPTO in connection with this proceeding.

Respectfully submitted,

LOWE GRAHAM JONES PLLC



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Attorney for Petitioner

Date: January 28, 2021

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF THE POST-INSTITUTION FEE** was served electronically via e-mail on January 28, 2021, in its entirety on the following counsel for Patent Owner:

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Respectfully submitted,

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/Stephen A. Merrill/

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Date: January 28, 2021

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