

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC and LG ELECTRONICS U.S.A. INC.,
Petitioners

v.

ANCORA TECHNOLOGIES, INC.,
Patent Owner

IPR2021-00581
U.S. Patent No. 6,411,941 B1

PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioners LG Electronics, Inc. and LG Electronics U.S.A. Inc. (“Petitioners”) hereby files their request for a refund of the \$22,500.00 post-institution fee which was previously paid.

On February 23, 2021, Petitioners filed a petition for inter partes review of U.S. Patent No. 6,411,941 B1 and paid the USPTO a total of \$41,500.00, which included a \$19,000.00 payment for the inter partes review request fee and a \$22,500.00 payment for the post-institution fee.

The petition was granted a filing date of February 23, 2021. (Paper No. 6). On June 10, 2021 the Board entered a Decision – Denying *Inter Partes* Review (Paper No. 16). 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, Petitioners are 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.”).

Petitioners hereby request a refund of the \$22,500.00 post-institution fee previously paid by Petitioners. The refund may be deposited in Deposit Account No. 08-1394 of Haynes and Boone, LLP under attorney reference number 56690.30US01.

Dated: June 28, 2021

Respectfully submitted,

/David L. McCombs/

David L. McCombs
Lead Counsel for Petitioners
Registration No. 32,271

HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Telephone: 214-651-5533
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 "**PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES**" was served on the Patent Owner as detailed below:

Date of service June 28, 2021

Manner of service Electronic Mail to: ntpete@fitcheven.com;
dgosse@fitcheven.com; PHenkemann@fitcheven.com;
ancora-ipr@fitcheven.com;
ANCC0123IPR@brookskushman.com

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

Persons Served Nicholas T. Peters
David A. Gosse
Paul B. Henkelmann
FITCH, EVEN, TABIN & FLANNERY LLP
120 South LaSalle Street, Suite 2100
Chicago, IL 60603

John P. Rondini
Marc Lorelli
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075

Respectfully submitted,

/David L. McCombs/

David L. McCombs
Lead Counsel for Petitioners
Registration No. 32,271