

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC.,
Petitioner,

v.

PFIZER INC.,
Patent Owner.

Inter Partes Review No.: IPR2021-01132

U.S. Patent No. 6,890,927 to Bogle *et al.*
Issued: May 10, 2005

Title: TARTRATE SALTS OF 5,8, 14-TRIAZATERACYCLO[10.3.1.02,11
04.9]-HEXADECA-2(11),3,5,7,9-PENTAENE AND
PHARMACEUTICAL COMPOSITIONS THEREOF

**APOTEX INC.'S REQUEST FOR REFUND OF
POST-INSTITUTION FEES**

Petitioner Apotex Inc. (“Apotex”) respectfully requests a refund of post-institution fees in the amount of \$22,500.

On June 17, 2021, Apotex filed a Petition for *Inter Partes* Review of claims 1-2 of U.S. Patent No. 6,890,927. *See* IPR2021-01132, Paper 1. As required by 37 C.F.R. § 42.15(a), Apotex deposited \$41,500 with the U.S. Patent and Trademark Office (“USPTO”) at the time of filing the Petition in order to cover associated fees. Apotex’s payment consisted of \$19,000 in fees associated with the request for *Inter Partes* Review, and a further \$22,500 in post-institution fees.

Prior to the Board’s issuance of an Institution Decision, Apotex and Patent Owner Pfizer Inc. filed a Joint Motion to Terminate. *Id.*, Paper 8. On October 29, 2021, the Board issued a Decision granting the parties’ Joint Motion to Terminate. *Id.*, Paper 9. *Inter Partes* Review was thus not instituted.

Accordingly, Apotex requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$22,500, to be paid to Deposit Account 503626.

Respectfully submitted,

RAKOCZY MOLINO MAZZOCHI SIWIK LLP

Dated: November 2, 2021

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a complete copy of APOTEX INC.'S REQUEST FOR REFUND OF POST-INSTITUTION FEES was served via electronic mail on November 2, 2021, on the following attorneys of record at:

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