

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HIKMA PHARMACEUTICALS USA INC.,
HIKMA PHARMACEUTICALS PLC,
Petitioner,

v.

AMARIN PHARMACEUTICALS IRELAND LIMITED,
Patent Owner.

Case IPR2022-00215
Patent 8,642,077 B2

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

Petitioners respectfully request a refund of post-institution fees in the amount of \$22,500.

On November 30, 2021, Petitioners filed a Petition for *Inter Partes* Review of U.S. Patent No. 8,642,077. As required by 37 C.F.R. § 42.15(a), Petitioners paid \$41,500 to the U.S. Patent and Trademark Office at the time of filing the Petition to cover the associated fees. Petitioners' payment consisted of \$19,000 in fees associated with the request for *Inter Partes* Review, and a further \$22,500 in post-institution fees.

On March 14, 2022, the Board issued a Decision (Paper No. 8) to Terminate the proceeding before institution based on an agreement between the parties. Because review was not instituted, Petitioner is entitled to a refund of \$22,500 for the post-institution fee. *See* 78 Fed. Reg. 4212, 4234 (Jan. 18, 2013) (“[I]f the review is not instituted at all, the portion of the fee covering the trial would be returned.”).

Petitioner therefore requests a refund of the \$22,500 post-institution fee.

The refund may be deposited in Winston & Strawn LLP Deposit Account No. 50-1814.

Dated: March 15, 2022

Respectfully submitted,

WINSTON & STRAWN LLP
1901 L Street NW
Washington, DC 20036
Telephone: 202-282-5000
Fax: 202-282-5100
Email: HikmaIPR@winston.com

/Jovial Wong/
Jovial Wong
Reg. No. 60,115

Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105, I certify that I caused to be served a true and correct copy of the PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES by electronic mail on March 15, 2022, on the following attorneys:

David B. Fournier (fournier-ptab@perkinscoie.com)
Kourtney Mueller Merrill (merrill-ptab@perkinscoie.com)
PERKINS COIE LLP
110 North Wacker Drive, Suite 3400
Chicago, Illinois 60606-1511

Dated: March 15, 2022

Respectfully submitted,

WINSTON & STRAWN LLP
1901 L Street NW
Washington, DC 20036
Telephone: 202-282-5000
Fax: 202-282-5100
Email: HikmaIPR@winston.com

/Jovial Wong/
Jovial Wong
Reg. No. 60,115

Lead Counsel for Petitioner