

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN AIRLINES, INC.,
Petitioner

v.

ADVANCED TRANSACTIONS, LLC
Patent Owner

Inter Partes Review No. IPR2023-01366
U.S. Patent No. 7,065,555

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

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

Petitioner American Airlines, Inc. (“Petitioner”) hereby files its request for a refund of \$22,500.00 for the inter *partes* review post-institution claim fee for up to twenty (20) claims which was previously paid.

On August 30, 2023, Petitioner filed a petition for inter *partes* review of U.S. Patent No. 7,065,555 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 August 30, 2023. (Paper No. 3.) On October 19, 2023 the Board entered a Decision – Granting Joint Motion to Terminate Proceeding Due to Settlement before Institution, terminating the proceeding. (Paper No. 8.) 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 \$22,500.00 post-institution fee previously paid by Petitioner. The refund may be deposited in Deposit Account No. 50-5723 of McKool Smith PC under customer reference number 127134.

Date: October 25, 2023

Respectfully submitted,

/s/ John B. Campbell

John B. Campbell, *Lead Counsel*

Reg. No. 54,665

Telephone: (512) 692-8700

Facsimile: (512) 692-8744

jcampbell@McKoolSmith.com

McKool Smith, P.C.

303 Colorado, Suite 2100

Austin, Texas 78701

Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Request for Refund was served on October 25, 2023, to Lead and Back-Up Counsel for Patent Owner at the service address provided:

Tedd W. Van Buskirk

tvanbuskirk@dagignaultiyer.com

Chandran B. Iyver

cbiyer@dagignaultiher.com

DAIGNAULT IYER, LLP

8618 Westwood Center Drive, Suite 150

Vienna, VA 22182

Dated: October 25, 2023

/s/ John B. Campbell

John B. Campbell (Reg. No. 54,665)