

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ALIGN TECHNOLOGY, INC.  
Petitioner

v.

3SHAPE A/S  
Patent Owner

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Case No. PGR2018-00103  
Patent No. 9,962,244

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**PETITIONER ALIGN TECHNOLOGY, INC.'S  
REQUEST FOR REFUND OF FEES**

*Mail Stop "PATENT BOARD"*  
Patent Trial and Appeal Board  
U.S. Patent and 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. 4211, 4233-34 (Jan. 18, 2013), Align Technology, Inc. ("Petitioner") requests a refund in the amount of \$26,125 to be paid to deposit account number 19-0036.

On October 26, 2018, Petitioner filed a Petition for Post Grant Review seeking review of U.S. Patent No. 9,962,244 (assigned case number PGR2018-00103) (Paper 2). On May 13, 2019, the Board denied institution.

The Rules provide for a refund of the post-institution fee if the Board does not institute trial. Payment of the \$26,125 post-institution fee under 37 C.F.R. § 42.15(a)(2) was processed through PTAB E2E on October 26, 2018.

Accordingly, Petitioner requests a refund of the post-institution fees of \$26,125 that were previously charged to Deposit Account No. 19-0036 (Customer ID No. 45324) in connection with this proceeding.

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Jason D. Eisenberg (Reg. No. 43,447)  
Attorney for Petitioner

Date: September 5, 2019  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing **PETITIONER ALIGN TECHNOLOGY, INC.'S REQUEST FOR REFUND OF FEES** was served electronically via e-mail on September 5, 2019, in its entirety on the following counsel of record for Patent Owner:

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