

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apex Tool Group LLC,
Petitioner,

v.

Milwaukee Electric Tool Corporation,
Patent Owner.

Case No. PGR2020-00056
Patent 10,422,617

**PETITIONER'S REQUEST FOR REFUND
OF POST-INSTITUTION FEES**

Pursuant to the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Petitioner Apex Tool Group, LLC. (“Apex”), requests a refund in the amount of \$22,000.00 to be paid to deposit account number 502880. *See also* 82 Fed. Reg. 52780, 52790 (Nov. 14, 2017).

On April 10, 2020, Apex filed a Petition for Post-Grant Review of U.S. Patent No. 10,422,617 with the Patent Trial and Appeal Board that was assigned case number PGR2020-00056. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioners deposited an electronic payment in the amount of \$16,000.00 with the Board at the time of filing of its Petition to cover fees associated with Petitioner’s post-grant review request, and a further \$22,000.00 in post-institution fees.

On October 13, 2020, the Patent Trial and Appeal Board entered an Order terminating the post-grant review based on the settlement agreement that resolved this case. Accordingly, Apex requests a refund in the amount of \$22,000.00 for the post-institution fees that it has paid in connection with this proceeding. Apex further request that this refund be deposited to account number 502880. If more information is necessary to provide payment, please contact counsel listed below.

Date: October 14, 2020

Respectfully submitted,

/Bradley W. Micsky/

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Apex Tool Group, LLC

CERTIFICATE OF SERVICE (37 C.F.R. §§42.6(e))

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of Petitioner's Request for Refund of Post-Institution Fees is being served electronically on October 14, 2020, in its entirety via email to counsel of record on the following:

Patent Owner Lead Counsel jason.white@morganlewis.com	Patent Owner Back Up Counsel alexander.stein@morganlewis.com Metco-617Patent- PGR@morganlewis.com
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