

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EVERGREEN THERAGNOSTICS, INC.

Petitioner

– vs. –

ADVANCED ACCELERATOR APPLICATIONS SA

Patent Owner

CASE NO. PGR2021-00002

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioner Evergreen Theragnostics, Inc. (“Evergreen”) hereby requests a refund of \$32,750.00 for Post-Institution Fees under 37 C.F.R. § 42.15(a)(4) submitted with its Petition.

On October 2, 2020, Evergreen filed a Petition for Post-Grant Review of Claims 1-25 of U.S. Patent No. 10,596,278. Paper 2. At the time of filing the Petition, Petitioner submitted \$55,125.00 in fees (using EFT Account No. 536) comprising the following:

Fee	Amount
Post-Grant Review Request Fee	\$20,000
Post-Grant Review Request of Each Claim in Excess of 20	\$2,375
Post-Grant Review Post-Institution Fee	\$27,500
Post-Grant Review Post-Institution Fees of Each Claim in Excess of 20	\$5,250
TOTAL	\$55,125

The Board denied institution of Post-Grant Review on April 14, 2021. Paper 9. Evergreen will not request a rehearing and therefore requests a refund of the post-institution fees totaling \$32,750.00. Upon review and approval of this request, Petitioner respectfully requests that the Board credit the post-institution fees to EFT Account No. 536, Ref. No. 34328-00001.

Respectfully submitted,

April 30, 2021

/C. Kyle Musgrove/

C. Kyle Musgrove

Registration No. 40,742

Attorney for Evergreen Theragnostics, Inc.

Attorney Docket No.: 34328-00001

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on counsel of record for the Patent Owner as detailed below.

Date of service: April 30, 2021

Manner of service: electronic mail

Documents served: Petitioner's Request for Refund of Post-Institution Fees

Persons served:

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