

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NU MARK LLC,  
Petitioner,

v.

FONTEM HOLDINGS 1, B.V.,  
Patent Owner.

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Case No. IPR2016-01707

U.S. Patent No. 9,326,550

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

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

Petitioner Nu Mark LLC (“Petitioner”) requests a refund of post-institution fees in the amount of \$14,000.00.

On August 31, 2016, Petitioner filed a Petition for *Inter Partes* review of U.S. Patent No. 9,326,550. As required by 37 C.F.R. § 42.15(a), Petitioner deposited \$23,000.00 with the U.S. Patent and Trademark Office (“USPTO”) at the time of filing the Petition to cover associated fees. Petitioner’s payment consisted of \$9,000.00 in fees associated with the request for *Inter Partes* review, \$14,000.00 in post-institution fees.

On January 3, 2017, a Joint Motion to Terminate the Proceeding was filed (Paper 9). On January 4, 2017, the Board granted the Joint Motion and terminated the proceeding. *Inter Partes* review was thus not instituted. Accordingly, Petitioner requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$14,000.00, to be paid to deposit account number 506499.

Dated: January 6, 2017

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 6, 2017, the foregoing  
**PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES**  
was served via electronic mail, upon the following:

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