

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner,

v.

California Institute of Technology

Patent Owner

IPR Trial No. IPR2017-00211

U.S. Patent No. 7,116,710

Filed: November 15, 2016

REQUEST FOR REFUND OF POST-INSTITUTION FEES

Apple Inc. (“Petitioner” or “Apple”) hereby requests a refund of the \$20,400 post-institution fee that was previously paid in connection with IPR2017-00211.

On November 15, 2016, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 7,116,710 and paid the USPTO a total of \$31,600 at the time of filing, which included a \$20,400 payment for the post-institution fee required under 37 C.F.R. §42.15(a)(1)-(2). The filed *inter partes* review petition was denied institution on June 30, 2017. (Paper 17.)

Petitioner is entitled to request a refund of the post-institution fee that was previously paid and is entitled to this refund. *See e.g.*, 78 Fed. Reg. 4233 (Jan. 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (stating that “[t]he entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”).

For at least the reasons set forth above, Apple respectfully requests a refund of the \$20,400 post-institution fee previously paid by Apple.

The refund may be deposited in Deposit Account No. 08-0219 under attorney reference number 1033300-00287US2.

Respectfully submitted,

Dated: April 5, 2019

By: /Richard Goldenberg/
Richard Goldenberg
Registration No. 38,895
Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that, on April 5, 2019, I caused a true and correct copy of the following materials:

- Request for Refund of Post-Institution Fees

to be served on counsel for Patent Owner by electronic mail to the following email addresses:

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