

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

R.J. Reynolds Vapor Company,

Petitioner

v.

Fontem Holdings 1 B.V.,

Patent Owner

Case IPR2018-00634
U.S. Patent No. 9,456,632

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

Petitioner R.J. Reynolds Vapor Company (“Petitioner”) requests a refund of post-institution fees in the amount of \$15,000.00.

On March 1, 2018, Petitioner filed a Petition for *Inter Partes* review of U.S. Patent No. 9,456,632. As required by 37 C.F.R. § 42.15(a), Petitioner deposited \$30,500.00 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 \$15,500.00 in fees associated with the request for *Inter Partes* review, and \$15,000.00 in post-institution fees.

On October 9, 2018, the Board issued an Order Resolving Joint Motions to Terminate Pursuant to Settlement and Granting Joint Requests to Treat Settlement Agreement as Confidential (Paper 13) dismissing the Petition in this proceeding before a decision on institution had been issued. *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 \$15,000.00, to be paid to deposit account number 23-1925.

Dated: October 11, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4)(i) *et seq.*, the undersigned certifies that on October 11, 2018, a complete and entire copy of this PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES was served by electronic submission through the USPTO Patent Trial and Appeal Board End-to-End System and by e-mail upon:

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Dated: October 11, 2018

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