

**IN THE UNITED STATES PATENT AND TRADEMARK
OFFICE**

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.
Petitioner,

v.

REALTIME ADAPTIVE STREAMING, LLC
Patent Owner.

Case: IPR2018-01384
U.S. Patent No. 8,934,535

REQUEST FOR REFUND OF POST-INSTITUTION FEE

Petitioner Cisco Systems, Inc. hereby requests a refund of **\$17,400**, which includes the post-institution fee that was previously paid by Petitioner. Petitioner filed a Petition for Inter Partes Review of claims 1-6, 8-12, 14-17, 19, 21, 22, and 24 of U.S. Patent No. 8,934,535 on June 12, 2018, and paid the USPTO the \$15,000 inter partes review request fee, the \$15,000 post-institution fee, and the \$2,400, post-institution excess claims fee for nineteen claims in excess of fifteen as required by 37 C.F.R. § 42.15(a) (2017).

On October 16, 2018, the Board issued an Order Dismissing Petition. Because no institution decision was handed down and dismissal occurred during preliminary proceedings, Petitioner is entitled to a refund of \$17,400.00 for the post-institution fee and the post-institution excess claims fee. *See* 78 FED. REG. 4212, 4234 (Jan. 18, 2013) (“[I]f the review is not instituted at all, the portion of the fee covering the trial would be returned.”).

Petitioner therefore requests a refund of the \$17,400.00 post-institution fee.

The refund may be deposited in Winston & Strawn LLP Deposit Account No. 50-1814.

Dated: November 7, 2018

Respectfully submitted,

/Andrew R. Sommer/

Andrew R. Sommer

Reg. No. 53,932

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*Counsel for Petitioner Cisco Systems,
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), this is to certify that on November 7, 2018, a true and correct copy of the foregoing REQUEST FOR REFUND OF POST-INSTITUTION FEE, was served via email to the following attorneys:

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