

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUMENIS LTD. and POLLOGEN LTD.,
Petitioner

v.

THE GENERAL HOSPITAL CORPORATION
Patent Owner

IPR2019-01181
U.S. Patent 9,510,899

**PETITIONER'S REQUEST FOR REFUND OF
THE POST-INSTITUTION FEE**

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

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4211, 4233-34 (Jan. 18, 2013), Petitioners Lumenis Ltd. and Pollogen Ltd. request a refund in the amount of \$15,600.00 to be paid to deposit account number 19-0036.

On July 26, 2019, Petitioners Lumenis Ltd. and Pollogen Ltd. jointly filed a motion to dismiss the *Inter Partes* Review of U.S. Patent No. 9,510,899 (Case IPR2019-01181) (Paper No. 5). On August 1, 2019, the Patent Trial and Appeal Board dismissed the petition pursuant to settlement (Paper No. 7). Accordingly, Petitioners request a refund of the post-institution fee of \$15,600.00 that was previously charged on a deposit account.

Petitioners' deposit account number is 19-0036. The Rules provide for a refund of the institution fee if the Board does not institute trial. 78 Fed. Reg. 4,211, 4,233-34 (Jan. 18, 2013). Payment of the \$15,600.00 post-institution fee was processed through PTAB E2E on June 6, 2019. Accordingly, Petitioners request a refund in the amount of \$15,600.00 for the post-institution fee that it has paid to the USPTO in connection with this proceeding.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Mark W. Rygiel/

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Date: August 14, 2019

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER'S REQUEST FOR REFUND OF THE POST-INSTITUTION FEE** was served electronically via e-mail on August 14, 2019, in its entirety on the following:

Joel A. Austin (Lead Counsel)
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