

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DANA-FARBER CANCER INSTITUTE, INC.  
Petitioner

v.

BRISTOL-MYERS SQUIBB COMPANY,  
Patent Owner

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Case IPR2023-00249  
U.S. Patent 10,323,092

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

Petitioner Dana-Farber Cancer Institute, Inc. (“Dana-Farber”) respectfully requests a refund of post-institution fees in the amount of \$26,250.

On December 29, 2022, Dana-Farber filed a Petition for *Inter Partes* Review of U.S. Patent No. 10,323,092. Pursuant to 37 C.F.R. § 42.15(a), Dana-Farber deposited \$47,125 with the U.S. Patent and Trademark Office (“USPTO”) concurrently with the filing of Dana-Farber’s Petition.<sup>1</sup> Dana-Farber’s payment consisted of \$20,875 in fees associated with its request for *Inter Partes* Review, and a further \$26,250 in post-institution fees.

On April 10, 2023, the U.S. Patent Trial and Appeal Board granted the parties’ Joint Motion to Terminate pursuant to 35 U.S.C. § 317. *See* Paper No. 11. Accordingly, *inter partes* review was not instituted. Dana-Farber thus requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$26,250, to be paid to deposit account 502778.

Dated: April 11, 2023

Respectfully submitted,

By: /Amanda K. Antons/  
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<sup>1</sup> Subsequent to the filing of Dana-Farber’s Petition, Dana-Farber separately paid an additional \$500 in *Pro Hac Vice* Admission Fees on February 3, 2023.

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Dana-Farber Cancer Institute, Inc.

## CERTIFICATE OF SERVICE

I certify that today in

*Dana-Farber Cancer Institute, Inc. v. Bristol-Myers Squibb Co.*, IPR2023-00249

I caused to be served a copy of:

Request for Refund of Post-Institution Fees  
Certificate of Service

upon:

Bristol-Myers Squibb Company c/o:  
AKIN GUMP STRAUSS HAUER & FELD LLP  
Steven D. Maslowski (smaslowski@akingump.com)  
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via:

electronic service to the email addresses above.

Dated: April 11, 2023

Respectfully submitted,

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