

Filed On Behalf Of:

Alnylam Pharmaceuticals, Inc.

By:

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212-218-2100

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALNYLAM PHARMACEUTICALS, INC.,
Petitioner,
v.
SILENCE THERAPEUTICS GMBH,
Patent Owner.

Case PGR2018-00089
U.S. Patent No. 9,790,501

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioner, Alnylam Pharmaceuticals, Inc. (“Petitioner”), hereby requests a refund of its post-institution fees in the amount of \$34,375 deposited in the above matter on July 17, 2018 for the foregoing reasons:

1. Petitioner filed its petition for post-grant review of claims 1-30 of U.S. Patent No. 9,790,501 (Paper No. 2) on July 17, 2018, in the above matter. At the time, Petitioner deposited with the Board the post-grant review request and post-institution fees in the total amount of \$54,125. The fees included (1) \$19,750 for the post-grant review request fee and the post-grant review request for 10 claims in excess of 20; and (2) \$34,375 for the post-grant review post-institution fee and the post-grant review post-institution fee for 15 claims in excess of 15. The fees were charged to Fitzpatrick Cella Harper & Scinto’s Deposit Account No. 50-3939.

2. The PGR proceeding under Case No. PGR2018-00089 was dismissed on December 20, 2018 by a written order of the Board (Paper No. 16) in response to a joint motion by the parties (Paper No. 13). The proceeding was dismissed prior to any decision by the Board regarding whether or not to institute the requested PGR trial.

Because the PGR was dismissed prior to institution, Petitioner requests reimbursement of the post-institution fees of \$34,375. Petitioner respectfully requests that the Board credit a refund in the amount of \$34,375 to Deposit

Account No. 50-3939.

Dated: January 16, 2019

Respectfully submitted,

/s/ Scott K. Reed

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Counsel for Petitioner Alnylam
Pharmaceuticals, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing PETITIONER'S
REQUEST FOR REFUND OF POST-INSTITUTION FEES was served
electronically via email on January 16, 2019 at the following addresses of record:

Lead Counsel

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Patent Owner has consented to service by electronic mail to
68013-501-PGR@mofo.com.

Dated: January 16, 2019

Respectfully submitted,

/s/ Scott K. Reed

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