

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALIGN TECHNOLOGY, INC.
Petitioner

v.

3SHAPE A/S
Patent Owner

Case No. PGR2018-00103
Patent No. 9,962,244

**PETITIONER ALIGN TECHNOLOGY, INC.'S
REQUEST FOR REFUND OF FEES**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and 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), Align Technology, Inc. ("Petitioner") requests a refund in the amount of \$26,125 to be paid to deposit account number 19-0036.

On October 26, 2018, Petitioner filed a Petition for Post Grant Review seeking review of U.S. Patent No. 9,962,244 (assigned case number PGR2018-00103) (Paper 2). On May 13, 2019, the Board denied institution.

The Rules provide for a refund of the post-institution fee if the Board does not institute trial. Payment of the \$26,125 post-institution fee under 37 C.F.R. § 42.15(a)(2) was processed through PTAB E2E on October 26, 2018.

Accordingly, Petitioner requests a refund of the post-institution fees of \$26,125 that were previously charged to Deposit Account No. 19-0036 (Customer ID No. 45324) in connection with this proceeding.

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

/Jason D. Eisenberg/

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Date: September 5, 2019
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CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER ALIGN TECHNOLOGY, INC.'S REQUEST FOR REFUND OF FEES** was served electronically via e-mail on September 5, 2019, in its entirety on the following counsel of record for Patent Owner:

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