

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH  
ORGANISATION,  
Petitioner,

v.

BASF PLANT SCIENCE COMPANY GMBH,  
Patent Owner.

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Case No. PGR2023-00007

U.S. Patent No. 11,260,095

Issued: March 1, 2022

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

Petitioner Commonwealth Scientific and Industrial Research Organization (“Petitioner”) hereby requests a refund of the \$27,500 post-institution fee that was previously paid in connection with PGR2023-00007. The refund may be deposited in Deposit Account number 01-1785 under attorney reference number 91826.

On February 1, 2023, Petitioner and Patent Owner filed a Joint Motion to Terminate Post Grant Review PGR2023-00007 (Paper 5). On February 2, 2023, the Board issued a decision granting the Joint Motion to Terminate (Paper 8), prior to institution of a trial.

When Petitioner filed its Petition for Post-Grant Review on November 30, 2022, Petitioner submitted a payment to the United States Patent and Trademark Office (USPTO) via Deposit Account No. 01-1785 which included \$27,500 in post-institution fees. PGR2023-00007 has been terminated prior to institution of a trial. Accordingly, Petitioner is entitled to a refund of the \$27,500 post-institution fee that was paid on November 30, 2022.

Respectfully submitted,

February 8, 2023

/Gary J. Gershik/

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that, pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing “PETITIONER’S REQUEST FOR REFUND OF POST-INSTITUTION FEE” is being electronically filed via the Patent Trial and Appeal Case Tracking System (P-TACTS) and served today, February 8, 2023, by e-mail to counsel for Patent Owner BASF at the email addresses listed below:

spatel@marshallip.com  
mizraelewicz@marshallip.com  
MGBlitdocket@marshallip.com

Dated: February 8, 2023

/Darren Haber/

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Reg. No. 80,964