

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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XEROX CORP., ACS TRANSPORT  
SOLUTIONS, INC., XEROX  
TRANSPORT SOLUTIONS, INC.,  
CONDUENT INC., and  
NEW JERSEY TRANSIT CORP.,  
Petitioners,

V.

BYTEMARK, INC.,  
Patent Owner

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Case CBM2018-00018  
U.S. Patent No. 9,239,993

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

**U.S. PATENT NO. 9,239,993**

On January 15, 2018, Petitioner filed its petition in the above-captioned inter partes review with accompanying fees set forth in 37 C.F.R. §42.15(a). Petitioner paid both the Inter Partes Review request fee (\$12,000) and the Inter Partes Review Post-Institution fee of \$18,000 for review of claims up to 15 and an additional \$2,750 for review of each claim in excess of 15 (for a total of \$20,750). See attached deposit account summary.

On July 12, 2018, the PTAB issued its decision denying institution of inter partes review. A Request for Rehearing was filed, and recently denied. Accordingly, Petitioner requests the refunds of its Inter Partes Review Post-Institution fees of \$20,750. Petitioner further authorizes the Office to credit Petitioner's Deposit Account No.: 18-0013 with the full amount requested.

Petitioner is entitled to the requested refund because the post-institution fee is specifically for use by the Office should it institute. The agency provided for return of this fee in its fee rulemaking. The fee is to be returned when the Office does not institute a review. Here, it did not. Therefore, a total amount of \$20,750 should be returned to the Petitioner and such is courteously requested.

Dated: December 11, 2018

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES** was served electronically via email on December 11, 2018, in its entirety on the following:

Jennifer Meredith  
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/Douglas P. LaLone/  
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