

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

ERICSSON INC. and TELEFONAKTIEBOLAGET LM ERICSSON,
Patent Owner

Case IPR2016-00108
Patent 6,400,376

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Petitioner Apple Inc. ("Petitioner"), request a refund in the amount of \$14,000.00 to be paid to deposit account number 06-1050.

On October 29, 2015, Petitioner filed a Petition for Inter Partes Review of U.S. Patent No. 6,400,376 with the Patent Trial and Appeal Board that was assigned case number IPR2016-00108. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a) Petitioner deposited an electronic payment in the amount of \$9,000.00 with the Board at the time of filing of its Petition to cover associated fees with Petitioner's inter partes review request, and a further \$14,000.00 in Post-Institution fees.

On December 29, 2015, Petitioner filed an unopposed Motion to Dismiss, and on January 29, 2016, the Patent Trial and Appeal Board entered a Decision granting our Motion to Dismiss before Institution. Accordingly, Petitioner requests a refund in the amount of \$14,000.00 for the post-institution fees that it has paid to the USPTO in connection with that proceeding.

Respectfully submitted,

Date: February 23, 2016

/Michael T. Hawkins/
Michael T. Hawkins
Reg. No. 57,867

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on February 23, 2016, a complete and entire copy of this Petitioner's Request for Refund of Post-Institution Fees was provided via email to the Patent Owner by serving the correspondence email address of record as follows:

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