UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JOHN CRANE, INC., JOHN CRANE PRODUCTION SOLUTIONS, INC., & JOHN CRANE GROUP CORP.,

Petitioners,

v.

FINALROD IP, LLC,

Patent Owner.

IPR No. IPR2016-00521

U.S. Patent No. 8,851,162

Before SALLY C. MEDLEY, LYNNE E. PETTIGREW, and AMANDA F. WIEKER, Administrative Patent Judges.

PETITIONER'S REQUEST FOR REFUND OF FEES

Petitioners, John Crane, Inc., John Crane Production Solutions, Inc., and John Crane Group Corp. ("Petitioners") hereby requests a refund of the **\$24,000** post-institution fee that they previously paid in connection with IPR2016-00521. Petitioners filed a petition for *inter partes* review of U.S. Patent No. 8,851,162 on January 29, 2016, and paid the USPTO \$37,000 on that date, including a \$9,000 payment for the *inter partes* review request fee, a \$14,000 payment for the postinstitution fee, a \$ 4,000 pre-institution payment for requesting IPR of 20 claims in excess of 20 claims (\$200 x 20), and a \$ 10,000 payment for requesting IPR of challenging 25 claims in excess of 15 claims for post-institution (\$400 x 25), as required by 37 C.F.R. §42.15(a). On June 7, 2016, the Board denied Petitioners' request for IPR (Paper No. 7), and on August 8, 2016, the Board denied Petitioners' request for rehearing (Paper 9).

Based on the termination of this proceeding before institution, Petitioners requests a refund in the amount of the post-institution fees that it paid for postinstitution services. *See* 78 FR 4212, 4233 (January 18, 2013), available at http://www.uspto.gov/sites/default/files/aia_implementation/AC54_Final_Rule_Se tting78FR4212-2013JAN18.pdf ("The entire post-institution fee would be returned to the petitioner if the Office does not institute a review."); FAQ E7, available at http://www.uspto.gov/patents-application-process/appealing-patentdecisions/trials/patent-review-processing-system-prps-0#heading-10 ("[T]]he

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petitioner may file in PRPS a request for a refund of any post-institution fee paid."). The return of the post-institution fees includes the per-claim fees for each claim in excess of 15 claims for the post-institution trial. *Id*.

Accordingly, Petitioner hereby requests a refund of the <u>\$24,000</u> postinstitution fee that it previously paid. The refund may be deposited in Deposit Account No. 50-0310 under Order No. 015304-21-5001.

Dated: October 27, 2016

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Respectfully submitted,

By <u>/Dion M. Bregman/</u> Dion M. Bregman (Reg. No. 45,645) Jason C. White (Reg. No. 42,223) Ryan B. McBeth (Reg. No. 69,817) Nicholas A. Restauri (Reg. No. 71,783) Nicholaus E. Floyd (Reg. No. 74,438) Morgan, Lewis & Bockius LLP 2 Palo Alto Square 3000 El Camino Real Palo Alto, CA 94306 650.843.4000 650.843.4001 (fax)

Attorneys for Petitioners

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that the foregoing

document was served by email on the following counsel of record for the Patent

Owner.

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Dated: October 27, 2016

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