

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.
Petitioner,

v.

SHIRE LABORATORIES, INC
Patent Owner.

Case IPR2017-00011
Patent RE41,148

PETITIONER'S REQUEST FOR REFUND OF IPR FEES

Petitioner Mylan Pharmaceuticals Inc. (“Mylan”) requests a refund in the amount of \$16,000 to be paid to Deposit Acct. No. 160605 (Customer ID No. 00826) pursuant to the U.S. Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4234-35 (Jan. 18, 2013).

On October 4, 2016, Mylan filed a Petition for *inter partes* review against U.S. Patent No. RE41,148, proceeding IPR2017-00011. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Mylan deposited an electronic payment in the amount of \$ 25,000 with the PTO at the time of filing its Petition. Mylan’s payment consisted of \$ 9,000 in fees associated with Mylan’s *inter partes* review request, and a further \$ 16,000 in Post-Institution fees.

On April 14, 2017, the Board entered a decision to deny institution of IPR2017-00011. Accordingly, Mylan requests a refund in the amount of \$16,000 for the Post-Institution fees.

RESPECTFULLY SUBMITTED,

Date: June 29, 2017

/Jitendra Malik/

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CERTIFICATION OF SERVICE

The undersigned certifies a copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF IPR FEES** was served on June 29, 2017 via electronic mail directed to the counsel of record for the Patent Owner at the following:

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Respectfully submitted,

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