

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SK HYNIX INC., SK HYNIX AMERICA INC., and SK HYNIX MEMORY
SOLUTIONS INC.,
Petitioners,

v.

NETLIST, INC.,
Patent Owner.

Case No. IPR2017-00730
U.S. Patent No. 9,128,632

**REQUEST FOR REFUND OF POST-INSTITUTION FEES FOR
INTER PARTES REVIEW**

On January 20, 2017, SK hynix Inc., SK hynix America Inc., and SK hynix memory solutions Inc. (“Petitioners”) filed a Petition for *Inter Partes* Review of U.S. Patent No. 9,128,632 under 35 U.S.C. § 103, and 37 C.F.R. § 42.100 *et seq.* (“Petition,” Paper No. 1), seeking review of claims 1-5, 12-14, and 19-20 of the ’632 patent. On July 21, 2017, the Patent Trial and Appeal Board issued a Decision denying *Inter Partes* Review (Paper No. 8). On August 21, 2017, Petitioners filed a Request for Rehearing of Institution Decision (Paper No. 9). On October 30, 2017, the Patent Trial and Appeal Board issued a Decision on Request for Rehearing denying the request (Paper No. 10). Petitioners hereby request a refund of \$14,000 for the Post-Institution Fee under 37 C.F.R. § 42.15(a)(2) submitted with the filing of the Petition. *See, e.g.*, 78 Fed. Reg. 4233, 4234-35 (Jan. 18, 2013).

Payment of \$14,000 in Post-Institution Fees was processed through PRPS on January 20, 2017, and charged to the undersigned’s Deposit Account No. 50-1597. Upon review and approval of this request, Petitioners respectfully request that the Board credit \$14,000 to our Deposit Account No. 50-1597 under Order No. 65725-80050.

Date: May 11, 2018

Respectfully submitted,

/Joseph A. Micallef/
Joseph A. Micallef (Reg. No. 37,772)
Sidley Austin LLP
1501 K Street, NW

Washington, D.C. 20005

jmicallef@sidley.com

(202) 736-8492

Lead Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of May, 2018, a copy of this Request for Refund of Post-Institution Fees for *Inter Partes* Review, has been served in its entirety by e-mail on the following counsel of record for patent owner:

Mehran Arjomand
Erol Basol
Jonathan Statman
Morrison & Foerster LLP
707 Wilshire Blvd., Suite 6000
Los Angeles, CA 90017-3543
63516-SKHynix-IPR@mofocom

Respectfully submitted,

/Joseph A. Micallef/
Joseph A. Micallef (Reg. No. 37,772)
Sidley Austin LLP
1501 K Street, NW
Washington, D.C. 20005
jmicallef@sidley.com
(202) 736-8492
Lead Counsel for Petitioners