

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RESMED PTY LTD, RESMED INC., AND RESMED CORP.,  
Petitioner

v.

FISHER & PAYKEL HEALTHCARE LIMITED,  
Patent Owner

U.S. Patent No. 9,333,315  
Issue Date: May 10, 2016  
Title: Breathing Assistance Apparatus

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*Inter Partes* Review No.: IPR2019-00179

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**REQUEST FOR REFUND OF POST-INSTITUTION FEES FOR *INTER*  
*PARTES* REVIEW OF U.S. PATENT NO. 9,333,315**

On November 7, 2018, Petitioner ResMed Limited (now ResMed Pty. Ltd.), ResMed Inc., and ResMed Corp. (“Petitioner”) filed a Petition of *Inter Partes* Review of claims 1-19 of U.S. Patent No. 9,333,315 (“the ’315 patent”) pursuant to 37 C.F.R. § 42.104 (“Petition,” Paper No. 1). On July 16, 2019, the Patent Trial and Appeal Board issued its “DECISION Denying Institution of *Inter Partes* Review” (Paper No. 12).

Petitioner hereby requests a refund of **\$17,400.00** for the Post-Institution Fee of \$15,000.00 under 37 C.F.R. §42.15(a)(2) and the post-institution excess claims fee of \$2,400.00 (\$600 for each of four (4) claims in excess of 15 claims) under 37 C.F.R. §42.15(a)(4) submitted with the filing of the Petition. The refund may be made to Deposit Account No. 07-1896.

Dated: September 5, 2019

Respectfully Submitted,

/Edward H. Sikorski/

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**CERTIFICATE OF SERVICE**

The undersigned certifies service pursuant to 37 C.F.R. 37 C.F.R. §§ 42.6(e) and 42.105(b) of a complete and entire copy of this Request for Refund on the Patent Owner by email to the following address(es) of record:

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