

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KINGSTON TECHNOLOGY COMPANY, INC.,
Petitioner,

v.

MEMORY TECHNOLOGIES, LLC,
Patent Owner

Case IPR2019-00644
Reissued Patent RE45,542

**PETITIONER'S REQUEST FOR
REFUND OF FEES**

Pursuant to 37 C.F.R. § 1.26, 37 C.F.R. § 1.925, and the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Petitioner Kingston Technology Company, Inc. (“Kingston”), requests a refund in the amount of \$15,000.00 to be paid to deposit account number 033975.

On January 30, 2019, Kingston filed a Petition for *Inter Partes* Review of U.S. Patent No. RE45,542 with the Patent Trial and Appeal Board that was assigned case number IPR2019-00644. (Paper 1.) In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Kingston deposited an electronic payment in the amount of \$15,500.00 with the Board at the time of filing of its Petition to cover fees associated with Kingston’s *inter partes* review request, and a further \$15,000.00 in post-institution fees.

On August 23, 2019, the Patent Trial and Appeal Board entered an Order denying the *inter partes* review. (Paper 9.) Accordingly, Kingston requests a refund in the amount of \$15,000.00 for the post-institution fees that it has paid in connection with this proceeding. Kingston further requests that this refund be deposited to Pillsbury Winthrop’s deposit account number 033975, reference 049289-0000003.

Date: October 28, 2019

Respectfully submitted,

By: /Robert C.F. Pérez/
Robert C.F. Pérez (Reg. No. 39,328)
Lead Counsel
Pillsbury Winthrop Shaw Pittman LLP
1650 Tysons Boulevard, 14th Floor
McLean, VA 22102
Telephone: 703-770-7900
Facsimile: 703-770-7901
Email: robert.perez@pillsburylaw.com

Christopher Kao
Backup Counsel
Brock S. Weber
Backup Counsel
Pillsbury Winthrop Shaw Pittman LLP
4 Embarcadero Center, 22nd Floor
San Francisco, CA 94111
Telephone: 415-983-1000
Facsimile: 415-983-1200
Email: christopher.kao@pillsburylaw.com
Email: brock.weber@pillsburylaw.com

Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 28, 2019, a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF FEES** was served via electronic mail on the following counsel of record for Patent Owner:

James D. Stein (Reg. No. 63,782)
Lead Counsel
Andrew Strickland (Reg. No. 67,755)
Backup Counsel
William B. Dyer III (Reg. No. 41,725)
Backup Counsel
Lee & Hayes P.C.
1175 Peachtree Street NE
100 Colony Square, Suite 2000
Atlanta, GA 30361
Phone: 404.736.1918
james.stein@leehayes.com
andrew.strickland@leehayes.com
bill.dyer@leehayes.com

By: /Robert C.F. Pérez/
Robert C.F. Pérez (Reg. No. 39,328)
Lead Counsel

Counsel for Petitioner