

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA OF AMERICA CORPORATION
Petitioner

v.

INTELLECTUAL VENTURES II LLC
Patent Owner

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE

Inter Partes Review No. 2019-00667

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandra, VA 22313-1450

Petitioner Nokia of America Corporation (“Nokia” or “Petitioner”) hereby files a request for refund of the \$15,000 post-institution fee that was previously paid.

On February 13, 2019, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 8,682,357 and paid the USPTO a total of \$30,500, which included a \$15,500 payment for *inter partes* review request fee and a \$15,000 payment for the post-institution fee. The petition was granted a filing date of February 13, 2019. (Paper 4). On April 29, 2019, a Joint Motion to Terminate this *inter partes* review was filed (Paper 8). On May 6, 2019, the Board granted this motion and terminated IPR2019-00667.

Therefore, because the petition to institute *inter partes* review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See e.g.*, 78 FR 4233 (Jan. 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”). Petitioner hereby requests a refund of the \$15,000 post-institution fee previously paid by Petitioner. The refund may be deposited in Deposit Account No. 505708 of Quinn Emanuel Urquhart & Sullivan, LLP.

Respectfully Submitted,

Date: May 6, 2019

/s/ Brianne M. Straka

Brianne Straka (Reg. No. 70,152)
QUINN EMANUEL URQUHART &
SULLIVAN LLP
191 N Wacker Drive Suite 2700
Chicago, Illinois 60606
Telephone: (312) 705-7400
Fax: (312) 705-7401

*Counsel for Petitioner Nokia of America
Corporation*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on May 6, 2019, the foregoing document is being served by E-mail to the following counsel of record for the Patent Owners:

Byron L. Pickard
Daniel S. Block
Tyler J. Dutton
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W. Washington, D.C. 20005-3932
bpickard-PTAB@sternekessler.com
dblock-PTAB@sternekessler.com
tdutton-PTAB@sternekessler.com

James R. Hietala
Russell Rigby
Intellectual Ventures
3150 139th Avenue S.E.
Bellevue, WA 98005
jhietala@intven.com
rrigby@intven.com

Respectfully Submitted,

Date: May 6, 2019

/s/ Brianne M. Straka
Brianne Straka (Reg. No. 70,152)
QUINN EMANUEL URQUHART &
SULLIVAN LLP
191 N Wacker Drive Suite 2700
Chicago, Illinois 60606
Telephone: (312) 705-7400
Fax: (312) 705-7401

*Counsel for Petitioner Nokia of America
Corporation*