

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

SPEAKWARE, INC.
Patent Owner

Case No. IPR2019-00875
U.S. Patent No. 6,397,186

**PETITIONER'S REQUEST FOR REFUND OF
POST-INSTITUTION FEES**

Request for Refund of Post-Institution Fees, IPR2019-00875
U.S. Patent No. 6,397,186

Petitioner Apple Inc. (“Petitioner”) filed a petition for *Inter Partes* Review of twenty (20) claims of U.S. Patent No. 6,397,186 on April 3, 2019 (Paper No. 1). At the time of filing, Petitioner submitted a fee of \$33,500.00, consisting of a \$15,500.00 *inter partes* review request fee, a \$15,000.00 *inter partes* review post-institution fee, and a \$3,000.00 excess claim post-institution fee for the five (5) claims in excess of fifteen (15) claims, in accordance with 37 C.F.R. § 42.15(a). On August 20, 2019, after the parties jointly requested termination of the proceedings (Paper No. 10), the Board terminated this proceeding prior to issuing any institution decision (Paper No. 11). In view of the Board’s termination of this proceeding, Petitioner respectfully requests a refund of the *inter partes* review post-institution fee of \$18,000.00 that was submitted with its petition pursuant to 37 C.F.R. § 42.15(a)(2) as set forth in the Board’s Final Rule, Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4234-35 (Jan. 18, 2013) (authorizing refunds of post-institution fees for proceedings terminated prior to institution). Petitioner requests that the refund be deposited in Deposit Account No. 50-6159.

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Respectfully submitted,

ERISE IP, P.A.

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CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.6

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on February 11, 2021 the foregoing *Petitioner's Request for Refund of Post-Institution Fees* was served via electronic filing with the Board and via Electronic Mail on the following practitioners of record for Patent Owner:

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ATTORNEY FOR PETITIONER