

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FRESENIUS KABI USA, INC. and FRESENIUS KABI SWISSBIOSIM GmbH
Petitioners,

v.

AMGEN, INC. and AMGEN MANUFACTURING LIMITED
Patent Owners.

IPR2020-00314

Patent No. 9,856,287

Title: REFOLDING PROTEINS USING A CHEMICALLY CONTROLLED
REDOX STATE

REQUEST FOR REFUND OF POST-INSTITUTION FEES

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Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioners Fresenius Kabi USA, LLC and Fresenius Kabi SwissBioSim GmbH, (collectively, “Petitioners”) respectfully request a refund of \$18,000.00, the post-institution fees initially paid for the Petition for *Inter Partes* Review of U.S. Patent No. 9,856,287 (“the ’287 patent”), assigned case number IPR2020-00314.

On December 20, 2019, Petitioners filed a Petition for *Inter Partes* Review of claims 1, 4-6, 8-10, 12, 14-16, 19-21, 23-26, 29-30 of the ’287 patent under 35 U.S.C. §§ 102 and 103. On June 19, 2020, the Board granted the parties’ Joint Motion to Terminate. (Paper No. 17.)

Because no trial has been instituted in this IPR, Petitioners hereby request a refund of \$18,000.00, the post-institution fees paid pursuant to 37 C.F.R. § 42.15(a)(2) and (a)(4). Payment of the post-institution fees was processed through PTAB E2E on December 20, 2019 and charged to the undersigned’s Deposit Account No. 506989. Upon review and approval of this request, Petitioner respectfully requests that the Board credit \$18,000.00 to Deposit Account No. 506989.

Date: June 22, 2020

Respectfully Submitted,

By: /Huiya Wu/
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Robert V. Cerwinski (to seek *pro hac vice*
admission)
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Counsel for Petitioners

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), the undersigned certifies that on June 22, 2020, a copy of the foregoing **REQUEST FOR REFUND OF POST-INSTITUTION FEES** was served by email on the lead and back-up counsel for Patent Owners at:

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Respectfully Submitted,

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