

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN LABORATORIES LTD.,  
Petitioner

v.

JANSSEN PHARMACEUTICA NV,  
Patent Owner.

U.S. Patent No. 9,439,906 to Vermeulen et al.  
Issue Date: September 13, 2016  
Title: Dosing Regimen Associated with Long  
Acting Injectable Paliperidone Esters

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*Inter Partes* Review No.: IPR2020-00440

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

Petitioner Mylan Laboratories Ltd. (“Mylan”) requests a refund in the amount of \$15,000 to be paid to Deposit Acct. No. 501290 (Customer ID No. 27160) pursuant to the U.S. Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4234-35 (Jan. 18, 2013).

On February 7, 2020, Mylan filed a Petition for *inter partes* review against U.S. Patent No. 9,439,906, proceeding IPR2020-00440. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Mylan deposited an electronic payment in the amount of \$ 30,500 with the PTO at the time of filing its Petition. Mylan’s payment consisted of \$ 15,500 in fees associated with Mylan’s *inter partes* review request, and a further \$ 15,000 in Post-Institution fees.

On September 16, 2020, the Board entered a decision to terminate proceeding IPR2020-00440 denying institution (Paper 17). On January 18, 2022, the United States Supreme Court denied Mylan’s Petition for a writ of certiorari. Accordingly, Mylan requests a refund in the amount of \$15,000 for the Post-Institution fees.

RESPECTFULLY SUBMITTED,

Date: March 17, 2022

/Jitendra malik/\_\_\_\_\_

Jitendra Malik  
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*Lead Counsel for Petitioner  
Mylan Laboratories Ltd.*

**CERTIFICATION OF SERVICE**

The undersigned certifies a copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF IPR FEES** was served on March 17, 2022 via electronic mail directed to the counsel of record for the Patent Owner at the following:

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RESPECTFULLY SUBMITTED,

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