Filed: August 17, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
LUPIN, LTD. and LUPIN PHARMACEUTICALS, INC.,
Petitioners,
v.
AMGEN, INC.,
Patent Owner
Case IPR2021-00326
U.S. Patent No. 9,856,287

REQUEST FOR REFUND OF POST-INSTITUTION FEES

On December 15, 2020, Petitioners Lupin, Ltd. and Lupin Pharmaceuticals, Inc. filed a Petition seeking inter partes review of claims 1-30 of U.S. Patent No. 9,856,287. Paper 1. In accordance with 37 C.F.R. § 42.15(a)(2) and (4), Petitioners paid a total post-institution fee of \$30,000 at the time of filing. On July 12, 2021, the Patent Trial and Appeal Board denied institution. Paper 8.

As such, Petitioners respectfully request a refund of \$30,000 for the post-institution fees in the case of IPR 2021-00326. Setting and Adjusting Patent Fees During Fiscal Year 2017, 82 Fed. Reg. 52790 (Nov. 14, 2017) ("The USPTO will refund the post-institution fee if the *inter partes* review proceeding is not instituted by the PTAB.").

Dated: August 17, 2021

By: /Michael W. Johnson/
Thomas J. Meloro (Reg. No. 33,538)
Michael W. Johnson (Reg. No. 63,731)
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, New York 10019-6099
Telephone: (212) 728-8248

Facsimile: (212) 728-8111

Counsel for Petitioners



CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing: REQUEST FOR REFUND OF POST-INSTITUTION FEES was served electronically via email as follows:

Patent Owners:

Megan Raymond (Reg. No. 72,997)
J. Steven Baughman (Reg. No. 47,414)
Paul, Weiss, Rifkind, Wharton & Garrison LLP
mraymond@paulweiss.com
sbaughman@paulweiss.com

Dated: August 17, 2021 By: /Michael W. Johnson/

Thomas J. Meloro (Reg. No. 33,538) Michael W. Johnson (Reg. No. 63,731) Willkie Farr & Gallagher LLP

787 Seventh Avenue

New York, New York 10019-6099

Telephone: (212) 728-8248 Facsimile: (212) 728-8111

Counsel for Petitioners

