

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**BIOFRONTERA INCORPORATED,
BIOFRONTERA BIOSCIENCE GMBH,
BIOFRONTERA PHARMA GMBH,
AND**

BIOFRONTERA AG

Petitioner

v.

DUSA PHARMACEUTICALS, INC.

Patent Owner

***Inter Partes* Review No. IPR2022-00056
U.S. Patent No. 10,357,567**

REQUEST FOR REFUND OF POST-INSTITUTION FEES

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

Pursuant to the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Biofrontera Incorporated, Biofrontera Bioscience GmbH, Biofrontera Pharma GmbH, and Biofrontera AG (collectively, “Petitioner”), requests a refund in the amount of \$22,500.00 to be paid to deposit account number 50-5723.

On October 19, 2021, Petitioner filed a petition for *inter partes* review of claims 1-10 of U.S. Patent No. 10,357,567 that was assigned case number IPR2022-00056. Paper No. 1. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioner deposited an electronic payment in the amount of \$19,000.00 with the Board at the time of filing of its Petition to cover associated fees with Petitioner’s *inter partes* review request, and a further \$22,500.00 for Post-Institution fees.

On January 24, 2022, the Board granted pre-institution dismissal of the petition and terminated the proceeding. Paper No. 10. Accordingly, Petitioner respectfully requests a refund of the post-institution fees paid at the time of filing. Specifically, Petitioner requests a refund of \$22,500 for the post-institution fees previously paid in this case. The amount may be deposited into PTO Deposit Account No. 50-5723.

IPR2022-00056
Request for Refund of Post-Institution Fees

Respectfully submitted,

Dated: January 28, 2022

By: /Lauren L. Fornarotto/

Lauren L. Fornarotto, Reg. No. 76,470

CERTIFICATE OF SERVICE

I certify that on January 28, 2022, I will cause a copy of the foregoing document, including any exhibits referred to therein, to be served via electronic mail, as previously consented to by Patent Owner, upon the following:

W. Karl Renner
Fish & Richardson P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, MN 55402
Email: IPR46697-0005IP1@fr.com

Heather L. Flanagan
Andrew B. Patrick
Fish & Richardson P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, MN 55402
PTABInbound@fr.com
axf-ptab@fr.com
patrick@fr.com
flanagan@fr.com

Dated: January 28, 2022

By: /Lauren L. Fornarotto/
Lauren L. Fornarotto
Reg. No. 76,470