

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FRESENIUS KABI USA, LLC and FRESENIUS KABI SWISSBIOSIM GmbH
Petitioners,

v.

COHERUS BIOSCIENCES, INC.
Patent Owners.

PGR2019-00064
Patent 10,155,039 B2

Title: STABLE AQUEOUS FORMULATIONS OF ADALIMUMAB

REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioners Fresenius Kabi USA, LLC and Fresenius Kabi SwissBioSim GmbH, (collectively, “Petitioners”) respectfully request a refund of \$22,000.00, the post-institution fees initially submitted with the Petition for Post Grant Review of U.S. Patent No. 10,155,039 B2 (“the ’039 patent”), assigned case number PGR2019-00064.

On September 17, 2019, Petitioners filed the Petition, and on March 19, 2020, the Board denied institution. Paper 3, Paper 10. On April 17, 2020 Petitioners filed a Request for Rehearing. Paper 11. On January 27, 2021 the Board denied Petitioners’ Requests for Rehearing. Paper 12.

Because the Board did not institute this PGR, Petitioners hereby request a refund of \$22,000.00, the post-institution fees paid pursuant to 37 C.F.R. § 42.15(b)(2). Payment of the post-institution fees was processed through PTAB E2E on September 17, 2019, and charged to the undersigned’s Deposit Account No. 506989. Upon review and approval of this request, Petitioners respectfully request that the Board credit \$22,000.00 to Deposit Account No. 506989.

Date: February 23, 2021

Respectfully Submitted,

By: /Linnea Cipriano/
Linnea Cipriano (Reg. No. 67,729)
Huiya Wu (Reg. No. 44,411)
GOODWIN PROCTER LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018
(212) 813-8800 (telephone)

lciipriano@goodwinlaw.com
hwu@goodwinlaw.com

Counsel for Petitioners

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.15(b), the undersigned certifies that on February 23, 2021, 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:

Joseph A. Hynds (jhynds@rfem.com)

Jennifer P. Nock (jnock@rfem.com)

Aydin H. Harston (aharston@rfem.com)

ROTHWELL, FIGG, ERNST & MANBECK, P.C.

607 14TH Street N.W., Suite 800

Washington, DC 20005

litigationparalegals@rothwellfigg.com

Date: February 23, 2021

Respectfully Submitted,

By: /Linnea Cipriano/

Linnea Cipriano (Reg. No. 67,729)