

PGR2020-00088
Petitioner's Request for Refund

Filed on behalf of Supercell Oy

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERCELL OY,
Petitioner

v.

GREE, INC.,
Patent Owner.

Case PGR2020-00088
Patent 10,518,177 B2

**PETITIONER SUPERCELL OY'S REQUEST FOR REFUND
OF POST GRANT REVIEW POST-INSTITUTION FEES
PURSUANT TO 37 C.F.R. § 42.15(b)**

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Petitioner Supercell Oy ("Petitioner") respectfully requests a refund of the post-institution fees paid by Petitioner in the instant proceeding.

On September 29, 2020, Supercell Oy ("Supercell") filed a Petition for Post Grant Review of U.S. Patent No. 10,518,177 requesting review of seventeen claims. (Paper 2) Petitioner paid a fee of \$39,650, including: (i) \$16,000 for a post grant review request fee for up to twenty (20) claims; (ii) \$22,000 for a post grant review post-institution fee for up to twenty (20) claims; and (iii) \$1,650 post grant review post-institution request for each claim in excess of twenty claims¹ (\$825 for two additional claims in excess of 20).

On April 14, 2021, the Patent Trial and Appeal Board ("the Board") issued a decision denying institution of post-grant review on all challenged claims.

(Paper 11) On May 14, 2021, Petitioner filed a Request for Rehearing. (Paper 12)

On August 18, 2021, Petitioner filed an Unopposed Motion to Withdraw Request for Rehearing. (Paper 15) On August 19, 2021, the Board issued a decision and Granted Petitioner's Unopposed Motion to Withdraw Request for Rehearing.

(Paper 16)

¹ It appears Petitioner was incorrectly charged this amount of post-grant review post-institution request of each claim in excess of 20 (1,650 for **two** additional claims), as Petitioner only challenged seventeen claims in PGR2020-00088.

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In accordance with 37 C.F.R. § 42.15(b)(2), Petitioner respectfully requests a refund of Petitioner's paid post-institution fees in the amount of \$23,650 credited to Petitioner's USPTO Deposit Account (No. 19-2555).

Dated: September 9, 2021

Respectfully submitted,

FENWICK & WEST LLP

/Jennifer R. Bush/

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Reg. No. 50,784

Attorneys for Petitioner Supercell Oy

CERTIFICATION OF SERVICE ON PATENT OWNER

The undersigned hereby certifies that the foregoing **Petitioner Supercell Oy's Request for Refund of Post Grant Review Post-Institution Fees Pursuant to 37 C.F.R. § 42.15(b)** was served on Patent Owner's lead and back-up counsel in its entirety by electronic service at the email addresses provided below:

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