UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DK CROWN HOLDINGS INC. (FORMERLY DRAFTKINGS, INC.),
A DELAWARE CORPORATION,
Petitioner,

v.

DIOGENES LIMITED,
Patent Owner.

IPR2023-00261
U. S. Patent Number 8,721,439
Attorney Docket No.: 087764.0109

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,721,439

DK Crown Holdings Inc. (Formerly DRAFTKINGS, Inc.), A Delaware Company ("Petitioner") hereby requests refund of $14,000 for the Post-Institution Fee under 37 C.F.R. § 42.15(a)(2) submitted with the Petition. On November 30, 2022 Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent No. 8,721,439 ("the '439 Patent") under 35 U.S.C. §§ 311-319, and 37 C.F.R. §§ 42.100 *et seq.* (Paper 1), seeking *inter partes* review of claims 1-30 of the '439 Patent. On June 15, 2023, the Board issued a Decision Denying Institution (Paper 8). Petitioner hereby requests refund of $14,000 for the Post-Institution Fees under C.F.R. § 42.15(b)(2) submitted with the Petition.

Payment of the $14,000 Post-Institution Fee was processed through P-TACTS on November 30, 2022. Upon review and approval of this request, Petitioner respectfully requests that the Board credit the Post-Institution fee to Deposit Account No. 02-4377, Ref. No. 087764.0109.

Dated: March 7, 2024

Respectfully submitted,

/ Eliot D. Williams /
Eliot D. Williams
Reg. No. 50,822
BAKER BOTTS L.L.P.
700 K Street Northwest
Suite 900
Washington DC 20001-5692
T: (202) 639-7700

Attorneys for Petitioner, DraftKings, Inc.

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. §§42.6(e) and 42.105, the undersigned certifies that on March 7, 2024, a complete and entire copy of the foregoing was served on counsel for Patent Owner as follows:

Gianni Minutoli
Matthew Middleton
Steven Kellner
DLA Piper LLP (US)
gianni.minutoli@dlapiper.com
matthew.middleton@us.dlapiper.com
steven.kellner@dlapiper.com

Date: March 7, 2024

/ Eliot D. Williams /

Eliot D. Williams
BAKER BOTTS L.L.P.
700 K Street Northwest
Suite 900,
Washington, DC 20001-5692
T: 202.639.7700

Attorney for Petitioner, DraftKings, Inc.