

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.

IPR2023-00265
U. S. Patent Number 9,704,338
Attorney Docket No.: 087764.0109

**PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE
FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,704,338**

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 December 1, 2022 Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent No. 9,704,338 (“the ’338 Patent”) under 35 U.S.C. §§ 311-319, and 37 C.F.R. §§ 42.100 *et seq.* (Paper 2), seeking *inter partes* review of claims 1, 4-15, 17-19, and 32 of the ’338 Patent. On June 22, 2023, the Board issued a Decision Denying Institution (Paper 9). 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 December 1, 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 /

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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:

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