

From: [Trials](#)
To: [Elisabeth H. Hunt](#); [Trials](#)
Cc: [EHunt-PTAB@WolfGreenfield.com](#); [GNieberg-PTAB@WolfGreenfield.com](#); [MJohannes-PTAB@wolfgreenfield.com](#)
Subject: RE: IPR2023-00394 - Issues paying Petition excess claim fees via electronic filing system
Date: Friday, December 23, 2022 9:29:39 AM
Importance: High

Greetings Ms. Hunt, a request to have the additional \$1,125 applied to IPR2023-00394 has been submitted on your behalf to finance. They may request authorization to process those fees, in which case we'll reach out to you for that authorization (by email). IPR2023-00410 will have to be administratively disposed of and those fees refunded to you. That process will likely occur next week.

Thank you,
Eric W. Hawthorne
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Elisabeth H. Hunt <Elisabeth.Hunt@WolfGreenfield.com>
Sent: Thursday, December 22, 2022 11:57 PM
To: Trials <Trials@USPTO.GOV>
Cc: EHunt-PTAB@WolfGreenfield.com; GNieberg-PTAB@WolfGreenfield.com; MJohannes-PTAB@wolfgreenfield.com
Subject: IPR2023-00394 - Issues paying Petition excess claim fees via electronic filing system

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Honorable Board,

We represent Petitioner Google LLC in connection with IPR2023-00394, which challenges 21 claims of U.S. Patent No. 10,754,616. We filed this petition today, December 22, 2022, which is Petitioner's one-year bar deadline under 35 U.S.C. § 315(e).

In filing the petition, we used the PTAB's electronic filing system to pay the associated fees from our deposit account. We intended to submit fees in the amount of \$42,625 – including \$41,500 for the first 20 fees, and \$1,125 for one claim in excess of 20. Unfortunately, due to a clerical error, only the \$41,500 was submitted with the filing.

Upon realizing this, we immediately attempted this same evening to pay the remaining \$1,125 from the same deposit account, but the PTAB's electronic system did not allow us to make a supplemental payment on the same petition. As this occurred after hours, we were not able to reach any USPTO staff to address the situation. We seek guidance as to how to ensure that the remaining \$1,125 from our deposit account are applied to today's petition filing. We have filed in IPR2023-00394 a deposit account authorization form for the \$1,125 amount.

Additionally, we then filed a copy of the same petition, under IPR2023-00410, in which we submitted a new, second payment in the full amount of \$42,625. There was not enough time remaining before midnight to upload exhibits with this second filing of the petition. If it were not possible to supplement the \$41,500 payment made in IPR2023-00394 with the remaining \$1,125 with today's filing date, we respectfully request that the amount of \$42,625 paid under number IPR2023-00410 be credited to IPR2023-00394.

This evening we timely served Patent Owner at their correspondence address with all papers in connection with this petition.

In light of the PTAB's electronic filing system's inability to allow Petitioner to correct its payment on the same day, and Petitioner's efforts to submit and authorize payment of the full fees, we respectfully request that the Board treat as timely filed the petition and all required fees in IPR2023-00394.

We respectfully request further guidance from the Board as to how this inadvertent error can be corrected while maintaining today's filing date for IPR2023-00394.

Respectfully submitted,



Elisabeth Hunt, Ph.D.

Shareholder, Co-Chair Post-Grant Proceedings

Admitted to Practice: MA

617.646.8443

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue | Boston, MA 02210

605 Third Avenue | New York, NY 10158

Elisabeth.Hunt@wolfgreenfield.com | wolfgreenfield.com |  

This e-mail message and any attachments may contain confidential or privileged information. If you are not the intended recipient, please notify me immediately by replying to this message. Please destroy all copies of this message and any

attachments. Thank you.