

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIEMENS MOBILITY, INC., GROUND TRANSPORTATION SYSTEMS USA,
INC., HUMATICS CORP., and PIPER NETWORKS, INC.,
Petitioners,

v.

METROM RAIL, LLC,
Patent Owner.

Case No. IPR2023-00439
Patent No. 10,179,595

PETITIONERS' REQUEST FOR REFUND

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4211, 4233-34 (Jan. 18, 2013), Petitioners hereby request a refund of the *Inter Partes* Review Post Institution Fee in the amount of \$30,000.00 to be paid to Deposit Account No. 232825.

On January 9, 2023, Petitioners filed a Petition for *Inter Partes* Review of claims 1-30 of U.S. Patent No. 10,179,595 with the Patent Trial and Appeal Board that was assigned case number IPR2023-00439. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioners submitted payment in the amount of \$52,750.00 with the Board at the time of filing of their Petition to cover fees associated with Petitioners' *Inter Partes* Review request, and a further \$30,000.00 in Post-Institution fees (including the \$22,500 base post-institution fee and \$7,500 in excess claim fees).

On June 13, 2023, the Board entered a Decision Denying Institution (Paper 10). Accordingly, Petitioners request a refund of \$30,000.00 for the post-institution fees paid to the USPTO in connection with the instant proceeding. *See* 78 Fed. Reg. 4211, 4233-34 ("The Office also chooses to return fees for post institution services should a review not be instituted The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.").

Respectfully submitted,

Date: July 26, 2023

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on July 26, 2023, I will cause a copy of the foregoing document, including any exhibits filed therewith, to be served via electronic mail, as previously consented to by Patent Owner, upon the following:

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Date: July 26, 2023

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