

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GCE GAS CONTROL EQUIPMENT INC.,

Petitioner,

v.

VBOX, Inc.,

Patent Owner.

IPR Case No. IPR2023-00527

U.S. Patent No. 10,357,628

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

On February 10, 2023, GCE Gas Control Equipment Inc. (“Petitioner”) filed a Petition for *Inter Partes* Review of U.S. Patent 10,357,628 (“the ’628 patent”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42.100 et seq. (Paper 1.) The Petition sought *inter partes* review of twenty three (23) total claims of the ’628 patent: Claims 1-23. (*Id.* at 21-22.) Accordingly, Petitioner submitted a post-institution fee of \$22,500.00 and a post-institution excess claims fee of \$750.00 (together, “Post-Institution Fees”) for post-institution review of twenty three (23) claims under 37 C.F.R. §42.15(a)(2).

On September 1, 2023, the PTAB denied institution of *inter partes* review. (Paper No. 9.) On October 2, 2023, Petitioner filed a Request for Rehearing. (Paper No. 10.) On November 28, 2023, the PTAB denied Petitioner’s Request for Rehearing. (Paper No. 11.) Because the IPR was not instituted, Petitioner hereby requests a refund of the \$23,250.00 Post-Institution Fees. Petitioner submitted an electronic payment for the Post-Institution Fees with its Petition through Deposit Account No. 50-4561. Petitioner respectfully requests that the Board credit the Post-Institution Fees totaling \$23,250.00 to Deposit Account No. 50-4561.

Dated: January 4, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on January 4, 2024 a complete and entire copy of the foregoing document was filed with the PTAB through P-TACTS and served via email on attorneys of record at the following addresses:

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