

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SOPHOS LTD. And SOPHOS INC.,
Petitioners,

v.

OPEN TEXT INC.,
Patent Owner.

Case No. IPR2023-00633
U.S. Patent No. 8,726,389B2

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Mail Stop **Patent Trial and Appeal Board**
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

On March 3, 2023, Petitioner Sophos Ltd. And Sophos Inc. filed its Petition for *inter partes* review (IPR) of U.S. Patent No. 8,726,389 (the '389 patent) along with the request fee of \$19,000.00 and the post-institution fee of \$30,000 (post-institution fee for up to 20 claims of \$22,500 + post-institution fee for claims in excess of 20 of \$7500). The Board, however, determined not to institute IPR with respect to the '389 patent. See Institution Decision, Paper 20 (September 12, 2023). Accordingly, Petitioner requests a refund in the amount of \$30,000.00 for the post-institution fees.

Upon review and approval of this Request, Petitioner respectfully requests that the refund in the amount of \$30,000.00 be issued to **Gibson Dunn Deposit Account Number 501408.**

Dated: November 16, 2023

Respectfully submitted,

By: /Benjamin Hershkowitz/

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*Attorney for Petitioners Sophos Ltd. And
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CERTIFICATE OF SERVICE

The undersigned certifies service pursuant to 37 C.F.R. § 42.6(e) of a copy of Petitioner's Request for Refund by electronic mail on November 16, 2023 on the counsel of record of the Patent Owner:

Brian Eutermoser, beutermoser@kslaw.com

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Dated: November 16, 2023

By: /Benjamin Hershkowitz/

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