

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCEDES-BENZ USA, LLC,

Petitioner

v.

MICHIGAN MOTOR TECHNOLOGIES, LLC,

Patent Owner

Case IPR2023-01113
U.S. Patent No. 6,561,166

REQUEST FOR REFUND OF POST-INSTITUTION FEES

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232-4234 (Jan. 18, 2013), Mercedes-Benz USA, LLC ("Petitioner") respectfully requests a refund of post-institution fees in the amount of \$22,500 to be paid to Deposit Account No. 000505708.

On June 21, 2023, Petitioner filed a Petition for *Inter Partes* review of U.S. Patent No. 6,561,166 ("the '166 patent"). (Paper 1.) On November 9, 2023, before any institution decision had issued, the Board entered a Termination Decision because of the parties' settlement. (Paper 9.) Petitioner deposited an electronic payment of \$22,500 in post-institution fees pursuant to 37 CFR 42.15(a)(2) and 42.15(a)(4) for requesting review of 5 claims of the '166 patent.

Because the instant proceeding was not instituted, Petitioner hereby requests a refund of \$22,500 for the post-institution fees that they paid to the USPTO in connection with this matter. *See* 78 CFR 4233, 4234-35 (Jan 18, 2013).

Date: December 6, 2023

/s/ James M. Glass

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on December 6, 2023 the foregoing paper from Petitioner was served via email on the following counsel of record for Patent Owner:

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