UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NATIONAL RAILROAD PASSENGER CORPORATION D/B/A AMTRAK
Petitioner

v.

RAILWARE, INC.
Patent Owner

U.S. Patent No. 9,517,782
Issue Date: December 13, 2016
Title: TOOLS FOR RAILWAY TRAFFIC CONTROL

Inter Partes Review No. IPR2023-01179

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450
Submitted Electronically via PTAB E2E

Petitioner National Railroad Passenger Corporation d/b/a Amtrak ("Amtrak") respectfully requests a refund of post-institution fees in the amount of $22,500.

On July 6, 2023, Amtrak filed a filed a Petition for Inter Partes Review of U.S. Patent No. 9,517,782. As required by 37 C.F.R. § 42.15(a), Amtrak deposited $41,500 with the U.S. Patent and Trademark Office ("USPTO") at the time of filing the Petition in order to cover associated fees. Amtrak's payment consisted of $19,000 in fees associated with the request for Inter Partes Review (pursuant to fee code 1406), and a further $22,500 in post-institution fees (pursuant to fee code 1414).

On January 22, 2024, the U.S. Patent Trial and Appeal Board issued a Decision Denying Institution of Inter Partes Review (Paper No. 8). Thus, inter partes review was not instituted. Accordingly, Amtrak requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling $22,500, to be paid to Deposit Account No. 22-0261 (referencing Attorney Docket No. 49867.565333).

DATED: March 19, 2024

Respectfully submitted,

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CERTIFICATION OF SERVICE

The undersigned certifies that on March 19, 2024, a copy of the foregoing was served in its entirety by filing through the Patent Trial and Appeal Board End to End System, upon the following attorneys of record for the Patent Owner:

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DATED: March 19, 2024

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