

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 RE47835

Issue Date: February 4, 2020

Title: TOOLS FOR RAILWAY TRAFFIC CONTROL

Inter Partes Review No. IPR2023-01180

**PETITIONER'S REQUEST FOR REFUND
OF POST-INSTITUTION FEES**

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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 \$36,750.

On July 6, 2023, Amtrak filed a Petition for Inter Partes Review of U.S. Patent No. RE47835. As required by 37 C.F.R. § 42.15(a), Amtrak deposited \$62,875 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 \$26,125 in fees associated with the request for Inter Partes Review (pursuant to fee codes 1406 and 1407), and a further \$36,750 in post-institution fees (pursuant to fee codes 1414 and 1415).

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 \$36,750, 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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