

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZIMVIE, INC. AND ZIMMER BIOMET SPINE, LLC,
Petitioners

v.

ROGER P. JACKSON,
Patent Owner

Case IPR2023-01430
U.S. Patent No. 8,911,479 B2

Before ULRIKE W. JENKS, SHERIDAN SNEDDEN, and ZHENYU YANG,
Administrative Patent Judges.

PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES

Pursuant to the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 F.R. 4211, 4233-4234 (Jan. 18, 2013), Petitioners ZimVie, Inc. and Zimmer Biomet Spine, LLC (collectively, “Petitioners”) request a refund in the amount of \$24,000.

On September 22, 2023, Petitioners filed a petition for *inter partes* review of 22 claims of U.S. Patent No. 8,911,479. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioners submitted payment in the amount of \$43,750, which consisted of the \$19,000 request fee, the \$22,500 post-institution fee, the \$750 excess claims fee, and the \$1,500 post-institution excess claims fee.

On February 26, 2024, the Patent Trial and Appeal Board issued a Decision – Denying Institution of *Inter Partes* Review (Paper 8). In view of the Board’s decision, Petitioners respectfully request a refund of the \$22,500 post-institution fee and of the \$1,500 post-institution excess claims fee (\$24,000 total). Petitioners request that the refund of \$24,000 be charged back to Deposit Account No. 06-0029

FAEGRE DRINKER BIDDLE & REATH
LLP

Dated: November 8, 2024

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on November 8, 2024, I caused a true and accurate copy of *Petitioners' Request for Refund of Post-Institution Fees* to be served on counsel for Patent Owner via email, as follows:

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Dated: November 8, 2024

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