

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ECOBEE TECHNOLOGIES ULC,
Petitioner

v.

ROSEN TECHNOLOGIES LLC,
Patent Owner

Case IPR2023-01455
U.S. Patent No. RE40,437

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

On September 25, 2023, Petitioner filed a petition for *inter partes* review of U.S. Patent No. RE40,437. On February 20, 2024, as a result of settlement between the parties, the parties filed a Joint Motion to terminate the proceeding (Paper No. 6). On February 28, 2024, prior to any institution decision, the Board issued a Decision dismissing the petition and terminating the preliminary proceeding (Paper No. 8).

In accordance with 37 C.F.R. §42.15(a)(2), the post-institution fees paid at the time of filing should be returned. Petitioner thus requests a refund of \$22,500, representing the post-institution fee paid in IPR2023-01455, be paid to the deposit account of Venable LLP (Deposit Account No. 22-0261).

Respectfully submitted,

Dated: March 5, 2024

/Justin J. Oliver/
Justin Oliver (Reg. No. 44,986)
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202-721-5423

Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that on this date, a true and correct copy of the foregoing Petitioner's Request for Refund of Post-Institution Fees was served via email to the following addresses:

nmassand@nilawfirm.com

hni@nilawfirm.com

Dated: March 5, 2024

/Justin J. Oliver/
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Counsel for Petitioner