

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TERMAX COMPANY,
Petitioner,

v.

ILLINOIS TOOL WORKS INC.,
Patent Owner.

Case IPR2024-00072
U.S. Patent 11,578,740

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

Petitioner Termax Company (“Petitioner”) respectfully request a refund of post-institution fees in the amount of \$22,500.

On October 19, 2023, Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent No. 11,578,740. As required by 37 C.F.R. § 42.15(a), Petitioner paid \$41,500 to the U.S. Patent and Trademark Office (“USPTO”) at the time of filing the Petition to cover the associated fees. Petitioner’s payment consisted of \$19,000 in fees associated with the request for *Inter Partes* Review, and a further \$22,500 in post- institution fees.

On February 1, 2024, the Board issued a Decision (Paper No. 8) to terminate the proceeding before institution based on an agreement between the parties.

Because review was not instituted, Petitioner is entitled to a refund of \$22,500 for the post-institution fee. *See* 78 Fed. Reg. 4212, 4234 (Jan. 18, 2013) (“[I]f the review is not instituted at all, the portion of the fee covering the trial would be returned.”).

Petitioner therefore requests a refund of the \$22,500 post-institution fee.

The refund may be deposited in Marshall Gerstein & Borun LLP Deposit Account No. 13-2855.

Dated: February 6, 2024

Respectfully submitted,

/Raymond R. Ricordati, III, Reg. No. 62,856/
Raymond R. Ricordati, III, Reg. No. 62,856
Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Petitioner's Request for Refund of Post-Institution Fees** was filed electronically via the Patent Trial and Appeal Case Tracking System (P-TACTS) and served via electronic mail on the Patent Owner as indicated below:

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