UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

CARBYNE BIOMETRICS, LLC,
Patent Owner

IPR2024-00507
U.S. Patent No. 11,475,105 B2

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioner Apple Inc. ("Petitioner") hereby files its request for a refund of $22,500.00 for the post-institution fee for up to twenty (20) claims which was previously paid.

On January 31, 2024, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 11,475,105 B2 and paid the USPTO a total of $41,500.00, which included a $19,000.00 payment for the *inter partes* review request fee, and a $22,500.00 payment for the post-institution fee for up to twenty (20) claims.

The petition was granted a filing date of January 31, 2024. (Paper No. 6). On August 1, 2024 the Board entered a Decision – Denying Institution of *Inter Partes* Review (Paper No. 11). Accordingly, the *inter partes* review was never instituted.

Therefore, because the petition to institute *inter partes* review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See, e.g.*, 78 FR 4233 (Jan. 18, 2013) available at http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf ("The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.").

Petitioner hereby requests a refund of the $22,500.00 post-institution fee previously paid by Petitioner. The refund may be deposited in Deposit Account No. 08-1394 of Haynes and Boone, LLP under attorney reference number 52959.140R105B.

Dated: May 30, 2025

Respectfully submitted,

HAYNES AND BOONE, LLP
2801 N. Harwood St., Suite 2300
Dallas, Texas 75201

/*David W. O'Brien*/
David W. O'Brien, Reg. No. 40,107
Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that a true and correct copy of the foregoing was served on the Patent Owner as detailed below:

Date of service May 30, 2025

Manner of service Electronic Mail: Rkamprath@mckoolsmith.com; gfishback@mckoolsmith.com; Carbyne_Apple@mckoolsmith.com

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

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Respectfully submitted,

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