

Filed August 29, 2024

On behalf of **Cala Health, Inc.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CALA HEALTH, INC.,
Petitioner,

v.

EMKINETICS INC.,
Patent Owner.

IPR2024-00732
U.S. Patent 10,786,669

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

Cala Health v. EMKinetics
IPR Petition – Patent 10,786,669

Pursuant to the Patent and Trademark Office’s Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234, Petitioner Cala Health, Inc., (“Petitioner”) respectfully requests a refund of the mandatory *inter partes* post-institution fee payment in the amount of \$22,500.00 to be paid to deposit account number 11-1410 (Customer No. 20,995).

On March 29, 2024, Petitioner filed a Petition (Paper No. 1) for *inter partes* review of U.S. Patent No. 10,786,669, which was assigned case number IPR2024-00732. Among the fees paid concurrently with the filing of the Petition was a \$22,500.00 post-institution fee. There were no excess claim fees. See payment summary receipt below.



United States Patent and Trademark Office

USPTO
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Fee payments receipt

AIA REVIEW NUMBER
IPR2024-00732

AIA REVIEW TYPE
Inter Partes Review

PATENT OWNER/RESPONDENT'S PATENT NUMBER
10786669

RECEIPT DATE
03/29/2024 14:57:35 ET

PAYMENT STATUS
CLEARED

TOTAL PAYMENT
\$41,500.00

Payment Summary

Transaction Date	Payment Method	Description	Fee Code	Quantity	Fee Amount	Fee Total
03/29/2024 14:57:35	DA	INTER PARTES REVIEW REQUEST FEE-UP TO 20 CLAIMS	1406	1	\$19,000.00	\$19,000.00
03/29/2024 14:57:35	DA	INTER PARTES REVIEW POST-INSTITUTION FEE-UP TO 20 CLAIMS	1414	1	\$22,500.00	\$22,500.00
Total Fees						\$41,500.00

On August 19, 2024, the Patent Trial and Appeal Board granted the parties' Joint Motion to Dismiss and dismissed the *inter partes* review pre-institution (Paper 11). No post-institution proceedings have taken place in the *inter partes* review.

Accordingly, pursuant to 37 C.F.R. § 42.15(a)(2), Petitioner requests a refund in the amount of \$22,500.00 for the post-institution fee paid in connection with this proceeding.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 29, 2024

By: /Joshua J. Stowell/

Joshua J. Stowell (Reg. No. 64,096)

Customer No. 20,995

Attorney for Petitioner,
CALA HEALTH, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PETITIONER’S REQUEST FOR REFUND OF POST-INSTITUTION FEES** is being served via email on August 29, 2024 to Counsel of Record for Patent Owner Emkinetics Inc., at the email addresses listed below:

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Dated: August 29, 2024

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