

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NULIDS, LLC,

Petitioner

v.

BLEPHEX, LLC,

Patent Owner

Case No.: IPR2024-00764
U.S. Patent No. 11,083,621

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioner's Request for Refund of Post-Institution Fees

Petitioner Nulids, LLC ("Petitioner") hereby files its request for a refund of the \$22,500.00 post-institution fees previously paid upon filing.

On April 3, 2024, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 11,083,621 and paid the USPTO a total of \$41,500.00, which included (i) a \$19,000.00 payment for the *inter partes* review request fee, and (ii) a \$22,500.00 payment for the post-institution fee.

On July 23, 2024, the parties filed a joint motion to terminate the proceeding in view of a settlement agreement. Paper 8. On August 22, 2024, the Board entered a decision terminating this proceeding in accordance with the settlement agreement between the parties. Paper 11.

Because proceedings were terminated before institution, and the petition to institute *inter partes* review was filed after March 19, 2013, the post-institution fees paid at the time of filing should be returned. *See* 78 FR 4233 (Jan. 18, 2013) available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf>.

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. 60-3301 of Bochner PLLC under attorney reference number 2019.003L.

Respectfully submitted,

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Date: August 26, 2024

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e)(4)(i) *et seq.* and 42.105(b), the undersigned certifies that on August 26, 2024, **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES** was served in its entirety electronically via email on the following counsel:

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