

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BIOFRONTERA INCORPORATED, BIOFRONTERA BIOSCIENCE GMBH,
BIOFRONTERA PHARMA GMBH, and BIOFRONTERA AG.

Petitioner

v.

DUSA PHARMACEUTICALS, INC.

Patent Owner

Inter Partes Review Case No. 2024-00874
Patent No. 11,697,028

PETITIONER'S REQUEST FOR REFUND
OF POST-INSTITUTION FEE

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234 (Jan. 18, 2013), Petitioners Biofrontera Inc., Biofrontera Bioscience GmbH, Biofrontera Pharma GmbH, and Biofrontera AG (collectively, "Petitioner"), requests a refund in the amount of \$22,500.00 to be paid to Deposit Account No. DA231951.

On April 30, 2024, Petitioner filed the above-captioned Petition for Inter Partes Review, which was assigned Case No. IPR2024-00874. In accordance with the current fee schedule and 37 C.F.R. § 42.15(a), the Petitioner paid \$41,500.00 in fees at the time of filing, which included a \$19,000.00 IPR Request Fee; and \$22,500.00 IPR Post-Institution Fee.

On November 12, 2024, the Patent Trial and Appeal Board issued a decision denying institution. (Paper No. 9). In light of the PTAB's decision, Petitioner respectfully requests a refund of the post-institution fees in the amount of \$22,500.00.

It is requested that the refunded amount be credited to the deposit account DA231951.

Dated: January 13, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e), the undersigned certifies that on January 13, 2025, a complete and entire copy of Petitioner's Request for Refund of Post-Institution Fee was served on the following counsel of record for Patent Owner via electronic mail:

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