

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALTICE USA, INC.
Petitioner,

v.

TOUCHSTREAM TECHNOLOGIES, INC.,
Patent Owner.

IPR2024-01263
Patent No. 11,048,751

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

On August 16, 2024, Petitioner Altice USA, Inc. filed its petition for *inter partes* review (IPR2024-01263) of U.S. Patent No. 11,048,751 and a joinder motion to IPR2024-00324, along with payment of the requisite fees in the amount of \$41,500 to the U.S. Patent and Trademark Office, which includes the \$19,000 *inter partes* review request fee, the \$22,500 post-institution fee.

On February 20, 2025, Petitioner filed an Unopposed Motion to Withdraw Petition for Inter Partes Review (Paper 7) based on the fact that the Board denied the motion for rehearing of its rehearing decision denying institution in IPR2024-00324, which Petitioner sought to join. On February 24, 2025, the Board issued an Order Granting Motion to Withdraw Petition and Dismissing Prior to Institution of Trial (Paper 8).

Given the unique nature of this proceeding—*i.e.*, it included a motion for joinder to a proceeding that was initially instituted but was subsequently denied on rehearing—Petitioner respectfully requests a refund of the entire amount of \$41,500. In the alternative, Petitioner respectfully requests a refund of only \$22,500 for the post-institution fee that were previously paid. *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 respectfully requests that any refund be paid to deposit account 50-1814, the account from which the fees were originally paid from.

Dated: February 27, 2025

Respectfully Submitted,

/Scott M. Border/

Scott M. Border (lead counsel)

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Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e), I hereby certify that on this 27th day of February, 2025, I caused to be served a true and correct copy of PETITIONER'S REQUEST FOR REFUND OF PRE- AND POST-INSTITUTION FEE via electronic mail at the following addresses:

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Dated: February 27, 2025

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