

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

AVANT LOCATION TECHNOLOGIES LLC,
Patent Owner

IPR2025-01261
U.S. Patent No. 9,042,910

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE

Petitioner Apple Inc. ("Petitioner") hereby files its request for a refund of the \$28,125.00 previously paid.

On September 11, 2025, Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent No. 9,042,910 (Paper 2) and paid the USPTO a total of \$51,875.00, which included a payment of \$23,750.00 for the *Inter Partes* Review Request Fee up to twenty (20) claims and a \$28,125.00 payment for the Post-Institution Fee up to twenty (20) claims.

The petition was granted a filing date of September 11, 2025. (Paper No. 3). Patent Owner filed a Request for Discretionary Denial of Institution on November 17, 2025 (Paper 7) and Petitioner filed an Opposition to Patent Owner's Request for Discretionary Denial on December 17, 2025 (Paper 8).

On January 9, 2026, the Director entered a Notice of Decisions on Institution which summarily denied institution of 39 proceedings including this *Inter Partes* Review. (Paper 10). Accordingly, the *Inter Partes* Review was never instituted.

Because the petition to institute *Inter Partes* Review was filed after March 19, 2013, and the proceeding was not instituted, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See* 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 therefore requests a refund of the Post-Institution Fee in the amount of \$28,125.00 previously paid. The refund may be deposited in Deposit Account No. 08-1394 of Haynes and Boone, LLP under attorney reference number 52959.169R910.

Dated: April 3, 2026

Respectfully submitted,

HAYNES AND BOONE, LLP
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Customer No. 27683

/Adam C. Fowles/
Adam C. Fowles
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Registration No. 65,005

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 April 3, 2026

Manner of service Electronic Service: PTAB@fabricantllp.com;
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Documents served **PETITIONER'S REQUEST FOR REFUND OF
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