UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,

Petitioner

v.

MYPORT TECHNOLOGIES, INC.,

Patent Owner

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IPR2025-01467
U.S. Patent No. 11,188,998

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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 post-institution fee. The $28,125.00 *inter partes* review post-institution claim fee for up to twenty (20) claims was previously paid.

On September 9, 2025, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 11,188,998 and paid the USPTO a total of $51,875.00, which included a $23,750.00 payment for the *inter partes* review request fee 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 9, 2025. (Paper No. 3). The parties on January 29, 2026 filed a Joint Motion to Dismiss Petition and Terminate IPR Proceeding. (Paper 8). On March 4, 2026 the Board entered a Decision – Dismissal Prior to Institution of Trial (Paper No. 9). Accordingly, the *inter partes* review of U.S. Patent No. 11,188,998 was never instituted.

Therefore, because the petition to institute *inter partes* review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See, e.g.*, 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 hereby requests a refund of the $28,125.00 post-institution fee previously paid by Petitioner. The refund may be deposited in Deposit Account No.

08-1394 of Haynes and Boone, LLP under attorney reference number 52959.168R998.

Dated: April 1, 2026

Respectfully submitted,

/Calmann J. Clements/

Calmann J. Clements
Counsel for Petitioner
Registration No. 66,910

HAYNES AND BOONE, LLP
2801 N. Harwood Street, Suite 2300
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Customer No. 27683

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 1, 2026

Manner of service Electronic Service:
MyPort_IPR_SDTeam@skiermontderby.com

Documents served ***PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE***

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