

Filed On Behalf Of:

Atea Pharmaceuticals, Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ATEA PHARMACEUTICALS, INC.

Petitioner,

v.

GILEAD SCIENCES, INC.

Patent Owner.

Case No. PGR2023-00046

U.S. Patent No. 11,642,361 B2

PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE

Petitioner Atea Pharmaceuticals, Inc. (“Petitioner”) hereby requests a refund of the \$27,500 post-institution fee that was previously paid in connection with PGR2023-00046. The refund may be deposited in Deposit Account No. 50-5834 under attorney reference number 12020-057.

On February 21, 2024, the Patent Trial and Appeal Board (PTAB) issued a decision Denying Institution of Post-Grant Review (Paper No. 9).

When Petitioner filed its Petition for Post-Grant Review on August 7, 2023, it submitted a payment to the USPTO via Deposit Account No. 50-5834, which included \$27,500 in post-institution fees. PGR2023-00046 has been dismissed by PTAB prior to institution of trial. Accordingly, Petitioner is entitled to a refund of the \$27,500 post-institution fee that was paid on August 7, 2023.

Date: May 31, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE was served on May 31, 2024, via electronic mail to the following correspondence addresses:

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